



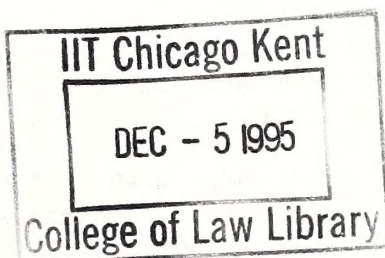
1995

Illinois Register

Rules of Governmental Agencies

Volume 19, Issue 48— December 01, 1995

Pages 15879 - 16133



Index Department
Administrative Code Div.
111 East Monroe Street
Springfield, IL 62756
(217) 782-7017

published by
George H. Ryan
Secretary of State



Printed on recycled paper

TABLE OF CONTENTS

December 1, 1995 Volume 19, Issue 48

PROPOSED RULES

EMPLOYMENT SECURITY, DEPARTMENT OF

Payment Of Unemployment Contributions, Interest And Penalties

56 Ill. Adm. Code 276515879

INSURANCE, DEPARTMENT OF

Required Procedure For Filing And Securing Approval Of Life Insurance,
Annuity And Accident And Health Insurance, Voluntary Health Services
Plans, Vision Service Plans, Dental Service Plans, Pharmaceutical
Service Plans, Limited Health Service Organizations And Health
Maintenance Organizations Policy Forms

50 Ill. Adm. Code 91615881

POLLUTION CONTROL BOARD

Definitions And General Provisions

35 Ill. Adm. Code 21115925

Visible And Particulate Matter Emissions

35 Ill. Adm. Code 21215940

PROFESSIONAL REGULATION, DEPARTMENT OF

Clinical Social Work And Social Work Practice Act

68 Ill. Adm. Code 147016015

PUBLIC AID, DEPARTMENT OF

Demonstration Programs

89 Ill. Adm. Code 17016025

ADOPTED RULES

AGING, DEPARTMENT ON

Community Care Program

89 Ill. Adm. Code 24016031

HEALTH CARE COST CONTAINMENT COUNCIL, ILLINOIS

Data Collection

77 Ill. Adm. Code 251016046

NATURAL RESOURCES, DEPARTMENT OF

Rental of Boats And Boating Facilities

17 Ill. Adm. Code 21016062

PROFESSIONAL REGULATION, DEPARTMENT OF

Illinois Architecture Practice Act Of 1989

68 Ill. Adm. Code 115016066

Illinois Professional Land Surveyor Act Of 1989

68 Ill. Adm. Code 127016071

The Professional Engineering Practice Act Of 1989	
68 Ill. Adm. Code 1380	16076
The Structural Engineering Licensing Act Of 1989	
68 Ill. Adm. Code 1480	16081

PUBLIC HEALTH, DEPARTMENT OF

WIC Vendor Management Code	
77 Ill. Adm. Code 672	16086

TRANSPORTATION, DEPARTMENT OF

Highway Construction By Contract	
44 Ill. Adm. Code 675	16103
Minority Contractors	
44 Ill. Adm. Code 645, Repeal of	16107
Railroad Maintenance By Contract	
44 Ill. Adm. Code 655	16109

EMERGENCY RULES

EMPLOYMENT SECURITY, DEPARTMENT OF

Payment Of Unemployment Contributions, Interest And Penalties	
56 Ill. Adm. Code 2765	16113

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Second Notices Received	16119
-------------------------------	-------

EXECUTIVE ORDERS AND PROCLAMATIONS

PROCLAMATIONS

95-536 Combined Law Enforcement Hispanic Heritage	
Committee Day	16122
95-537 Bocce Days	16122
95-538 Farm Women's Month	16122
95-539 German-American Soccer Day	16123
95-540 ROTC Appreciation Day	16123
95-541 Winter Storm Preparedness Day	16124
95-542 Frank Sinatra at Marshall Field's Day	16124
95-543 Family Business Day	16125
95-544 Haitian Victory Day	16125
95-545 Pamela A. Daniels Day	16125
95-546 Dutch American Heritage Day	16126
95-547 Waukegan Swedish Glee Club Day	16126
95-548 Melvin E. Banks Day	16127
95-549 United Hellenic American Congress Day	16127
95-550 Statewide Affordable Housing Week	16127
95-551 American Education Week	16128
95-552 Clean Break Day	16128

95-553	Italian Folk Art Federation of America, Inc.	
	Weekend	16129
95-554	PARC Month	16129
95-555	Safe and Smart Day	16130
95-556	Diabetes Month	16130
95-557	Maine South Marching Band Day	16131
95-558	Rosemary Berkel Crisp Day	16131
95-559	Arnold R. Weber Day	16131
95-560	Metropolitan Family Services Day	16132
95-561	Michael Bruton Remembered	16132

ISSUES INDEX.....I-1

Editor's Note: The Cumulative Index and Sections Affected Index will be printed on a quarterly basis. The printing schedule for the quarterly and annual indexes are as follows:

April 14, 1995 - Issue 15: Through	March 31, 1995
July 14, 1995 - Issue 28: Through	June 30, 1995
October 13, 1995 - Issue 41: Through	September 30, 1995
January 12, 1996 - Issue 2: Through	December 31, 1995 (Annual)

REGISTER PUBLICATION SCHEDULE 1995

Material Rec'd after 12:00 p.m. on:	And before 12:00 p.m. on:	Will be in Issue #:	Published on:	Material Rec'd after 12:00 p.m. on:	And before 12:00 p.m. on:	Will be in Issue #:	Published on:
Dec. 20, 1994	Dec. 27, 1994	1	Jan. 6, 1995	June 27, 1995	July 3, 1995	28	July 14, 1995
Dec. 27, 1994	Jan. 3, 1995	2	Jan. 13, 1995	July 3, 1995	July 11, 1995	29	July 21, 1995
Jan. 3, 1995	Jan. 10, 1995	3	Jan. 20, 1995	July 11, 1995	July 18, 1995	30	July 28, 1995
Jan. 10, 1995	Jan. 17, 1995	4	Jan. 27, 1995	July 18, 1995	July 25, 1995	31	Aug. 4, 1995
Jan. 17, 1995	Jan. 24, 1995	5	Feb. 3, 1995	July 25, 1995	Aug. 1, 1995	32	Aug. 11, 1995
Jan. 24, 1995	Jan. 31, 1995	6	Feb. 10, 1995	Aug. 1, 1995	Aug. 8, 1995	33	Aug. 18, 1995
Jan. 31, 1995	Feb. 7, 1995	7	Feb. 17, 1995	Aug. 8, 1995	Aug. 15, 1995	34	Aug. 25, 1995
Feb. 7, 1995	Feb. 14, 1995	8	Feb. 24, 1995	Aug. 15, 1995	Aug. 22, 1995	35	Sept. 1, 1995
Feb. 14, 1995	Feb. 21, 1995	9	Mar. 3, 1995	Aug. 22, 1995	Aug. 29, 1995	36	Sept. 8, 1995
Feb. 21, 1995	Feb. 28, 1995	10	Mar. 10, 1995	Aug. 29, 1995	Sept. 5, 1995	37	Sept. 15, 1995
Feb. 28, 1995	Mar. 7, 1995	11	Mar. 17, 1995	Sept. 5, 1995	Sept. 12, 1995	38	Sept. 22, 1995
Mar. 7, 1995	Mar. 14, 1995	12	Mar. 24, 1995	Sept. 12, 1995	Sept. 19, 1995	39	Sept. 29, 1995
Mar. 14, 1995	Mar. 21, 1995	13	Mar. 31, 1995	Sept. 19, 1995	Sept. 26, 1995	40	Oct. 6, 1995
Mar. 21, 1995	Mar. 28, 1995	14	Apr. 7, 1995	Sept. 26, 1995	Oct. 3, 1995	41	Oct. 13, 1995
Mar. 28, 1995	Apr. 4, 1995	15	Apr. 14, 1995	Oct. 3, 1995	Oct. 10, 1995	42	Oct. 20, 1995
Apr. 4, 1995	Apr. 11, 1995	16	Apr. 21, 1995	Oct. 10, 1995	Oct. 17, 1995	43	Oct. 27, 1995
Apr. 11, 1995	Apr. 18, 1995	17	Apr. 28, 1995	Oct. 17, 1995	Oct. 24, 1995	44	Nov. 3, 1995
Apr. 18, 1995	Apr. 25, 1995	18	May 5, 1995	Oct. 24, 1995	Oct. 31, 1995	45	Nov. 13, 1995 (Mon.)
Apr. 25, 1995	May 2, 1995	19	May 12, 1995	Oct. 31, 1995	Nov. 7, 1995	46	Nov. 17, 1995
May 2, 1995	May 9, 1995	20	May 19, 1995	Nov. 7, 1995	Nov. 14, 1995	47	Nov. 27, 1995 (Mon.)
May 9, 1995	May 16, 1995	21	May 26, 1995	Nov. 14, 1995	Nov. 21, 1995	48	Dec. 1, 1995
May 16, 1995	May 23, 1995	22	June 2, 1995	Nov. 21, 1995	Nov. 28, 1995	49	Dec. 8, 1995
May 23, 1995	May 30, 1995	23	June 9, 1995	Nov. 28, 1995	Dec. 5, 1995	50	Dec. 15, 1995
May 30, 1995	June 6, 1995	24	June 16, 1995	Dec. 5, 1995	Dec. 12, 1995	51	Dec. 22, 1995
June 6, 1995	June 13, 1995	25	June 23, 1995	Dec. 12, 1995	Dec. 19, 1995	52	Dec. 29, 1995
June 13, 1995	June 20, 1995	26	June 30, 1995	Dec. 19, 1995	Dec. 26, 1995	1	Jan. 5, 1996
June 20, 1995	June 27, 1995	27	July 7, 1995	Dec. 26, 1995	Jan. 2, 1996	2	Jan. 12, 1996

Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).

DEPARTMENT OF EMPLOYMENT SECURITY

NOTICE OF PROPOSED AMENDMENT(S)

- 1) Heading of the Part: Payment Of Unemployment Contributions, Interest And Penalties

- 2) Code Citation: 56 Ill. Adm. Code 2765

- 3) Section Numbers: Proposed Action:

2765.73 New Section

- 4) Statutory Authority: 820 ILCS 405/212, 302, 500, 601, 602, 603, 612, 701, 1400, 1401, 1402, 1403, 1404, 1405, 1502.1, 1503, 1507, 1508, 1509, 1700, 1701 and 2600.

- 5) Complete Description of the Subjects and Issues Involved: Nonprofit hospitals which have sustained large operating losses over the past few years cannot remain open and provide vital services to the communities that they serve without some relief from creditors and the opportunity to obtain needed refinancing. This emergency amendment to Part 2765 provides for a waiver of interest when such hospitals enter into deferred payment agreements to remove delinquencies which accrued during those years of operating losses.

- 6) Will this proposed amendment replace an emergency amendment currently in effect? Yes

- 7) Does this rulemaking contain an automatic repeal date? No

- 8) Does this proposed amendment contain incorporations by reference? No

- 9) Are there any other proposed amendments pending on this Part? No

- 10) Statement of Statewide Policy Objectives? This amendment does not affect units of local government.

- 11) Time, Place and Manner in which Interested Persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to:

Gregory J. Ramel, Deputy Legal Counsel
Illinois Department of Employment Security
401 South State Street - 2nd Floor South
Chicago, IL 60605
(312) 793-4240

The Department requests the submission of written comments within 30 days after the publication of this notice. The Department will consider all written comments it receives during the first notice period as required by

DEPARTMENT OF EMPLOYMENT SECURITY

NOTICE OF PROPOSED AMENDMENT(S)

- Section 5-40 of the Illinois Administrative Procedure Act [5 ILCS 100/5-40].

This proposed amendment has no impact on small businesses or small municipalities as defined in Sections 1-75 and 1-80 of the Illinois Administrative Procedure Act [5 ILCS 100/1-75, 1-80]. However, this proposed amendment does have an impact on not-for-profit corporations as defined in Section 1-85 of the Illinois Administrative Procedure Act [5 ILCS 100/1-85]. These entities may submit comments in writing to the Department at the above address in accordance with the regulatory flexibility provisions in Section 5-30 of the Illinois Administrative Procedure Act [5 ILCS 100/5-30]. These entities shall indicate their status as a not-for-profit corporation as part of any written comments that they submit to the Department.

.2) Initial Regulatory Flexibility Analysis:

- A) Types of small business, small municipalities and not for profit corporations affected: The proposed rule affects nonprofit hospitals.
- B) Reporting, bookkeeping or other procedures required for compliance: Hospitals wishing to avail themselves of the benefit of this rulemaking must provide certified financial statements.

- C) Types of professional skills necessary for compliance: Hospitals wishing to avail themselves of the benefit of this rulemaking must have certified professionals to prepare the required financial statements.

- 3) Regulatory Agenda on which this rulemaking was summarized: This rule was not included on either of the 2 most recent agendas because: This rulemaking was also submitted as an emergency rule; there was no time to include this rulemaking in a Regulatory Agenda.

The full text of the proposed amendment is identical to the emergency amendment that begins on page **16115**

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Required Procedure For Filing and Securing Approval of Life Insurance, Annuity and Accident and Health Insurance, Voluntary Health Services Plans, Vision Service Plans, Dental Service Plans, Pharmaceutical Service Plans, Limited Health Service Organizations and Health Maintenance Organizations Policy Forms

- 2) Code Citation: 50 Ill. Adm. Code 916

- 3) Section Numbers: Proposed Action:

916.30	Amended
916.40	Amended
916.50	Amended
916.Exhibit A	Amended
916.Exhibit B	Amended
916.Exhibit C Illustration A	Amended
916.Exhibit C Illustration B	Amended
916.Exhibit C Illustration C	Amended

- 4) Statutory Authority: Implementing Section 143 of the Illinois Insurance Code [215 ILCS 5/143] and Section 10 of the Voluntary Health Services Plans Act [215 ILCS 165/10] and Section 10 of the Vision Service Plan Act [215 ILCS 160/10] and Section 10 of the Dental Service Plan Act [215 ILCS 110/10] and Section 24 of the Pharmaceutical Service Plan Act [215 ILCS 135/24] and Section 4003 of the Limited Health Service Organization Act [215 ILCS 130/4003] and Section 5-3 of the Health Maintenance Organization Act [215 ILCS 125/5-3] and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/401].

- 5) A Complete Description of the Subjects and Issues Involved: The Department is amending this Part to further clarify our regulatory requirements. We are doing housekeeping changes, and we are adding provisions which will allow companies to electronically file policy forms.

- 6) Will this proposed amendment replace emergency rule currently in effect? No

- 7) Does this amendment contain an automatic repeal date? No

- 8) Does this proposed amendment contain incorporations by reference? No

- 9) Are there any other proposed amendments pending on this Part? No

- 10) Statement of Statewide Policy Objectives: These amendments will not require the Department to establish, expand or modify our activities in such a way as to necessitate additional expenditures from local revenues.

- 11) Time, Place, and Manner in which interested persons may comment on this

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit written comments no later than 45 days after the publication of this Notice to:

David Van Lieshout	Denise Fuchs
Assistant Chief Counsel	Rules Unit Supervisor
Department of Insurance	Department of Insurance
320 West Washington	or
Springfield, IL 62767	320 West Washington
(217) 782-2867	Springfield, IL 62767
	(217) 785-8560

- 12) Initial Regulatory Flexibility Analysis: The Department has determined that these amendments will not affect small businesses.

- 13) Regulatory Agenda on which this amendment was summarized: January 1995

The full text of the Proposed Amendment begins on the next page:

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

TITLE 50: INSURANCE

CHAPTER I: DEPARTMENT OF INSURANCE

SUBCHAPTER 1: PROVISIONS APPLICABLE TO ALL COMPANIES

PART 916

REQUIRED PROCEDURE FOR FILING AND SECURING APPROVAL
OF LIFE INSURANCE, ANNUITY AND ACCIDENT AND HEALTH
INSURANCE, VOLUNTARY HEALTH SERVICES PLANS,
VISION SERVICE PLANS, DENTAL SERVICE PLANS,
PHARMACEUTICAL SERVICE PLANS, LIMITED HEALTH
SERVICE ORGANIZATIONS AND HEALTH MAINTENANCE ORGANIZATIONS
POLICY FORMS

Section

- 916.10 Authority
916.20 Purpose and Scope
916.30 Definitions
916.40 Filing Procedures
916.50 Certification of Compliance and Procedure for Order of Withdrawal
Consent-to-Future-Discontinuance-of-Use-of-Approved-Policy-Form
916.60 Effective Date (Repealed)
EXHIBIT A Certificate of Compliance and Consent-to-Future-Discontinuance
of-Use-of-Approved-Policy-Form
EXHIBIT B Coding Guide
EXHIBIT C General Transmittal Instructions and Transmittal Sheet
ILLUSTRATION A Replacement/Withdrawal Transmittal Instructions and
Transmittal Sheet
ILLUSTRATION B Certificate of Assumption Transmittal Instructions and
Transmittal Sheet
ILLUSTRATION C Informational Filing Transmittal Instructions and Transmittal Sheet

AUTHORITY: Implementing Section 143 of the Illinois Insurance Code [215 ILCS 5/143] and Section 10 of the Voluntary Health Services Plans Act [215 ILCS 165/10] and Section 10 of the Vision Service Plan Act [215 ILCS 160/10] and Section 10 of the Dental Service Plan Act [215 ILCS 110/25] and Section 24 of the Pharmaceutical Service Plan Act [215 ILCS 135/24] and Section 4003 of the Limited Health Service Organization Act [215 ILCS 30/4003] and Section 5-3 of the Health Maintenance Organization Act [215 ILCS 125/5-3] and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/401].

SOURCE: Filed November 13, 1975, effective December 1, 1975; codified at 6 Ill. Reg. 14844; amended at 9 Ill. Reg. 18139, effective February 13, 1986; amended at 17 Ill. Reg. 15853, effective September 14, 1993; amended at 20 Ill. Reg. _____, effective _____.

Section 916.30 Definitions

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

Category means the general classification of the policy form to be issued or delivered.

Certificate of Assumption Transmittal Sheet means a coding blank to be completed when one company assumes a block of business from another company. Instructions for completing the Certificate of Assumption Transmittal Instructions and Transmittal Sheet are found in Exhibit C, Illustration B.

Certificate of Compliance can be found in Exhibit A of this Part.

Code means a general description of the policy form to be issued or delivered. (Exhibit B, Coding Guide).

Coding Guide represents by abbreviation types of coverage. (Exhibit B, Coding Guide).

Combination Form Perms means a policy form which will be used for both Life and Accident and Health.

Company means any entity which is defined as a "company" in Section 2 of the Illinois Insurance Code ~~§§§§-Rev--Stat--1991--ch--73--par-6147~~ [215 ILCS 5/2], in Section 2 of the Voluntary Health Services Plans Act ~~§§§§-Rev--Stat--1991--ch--327--par--5967~~ [215 ILCS 165/2 ~~§1992-Supp7~~], in Section 2 of the Vision Service Plan Act ~~§§§§-Rev-Stat--1991--ch--327--par--6527~~ [215 ILCS 160/2 ~~§1992-Supp7~~], in Section 3 of the Dental Service Plan Act ~~§§§§-Rev--Stat--1991--ch-327--par--6907~~ [215 ILCS 110/3 ~~§1992-Supp7~~], in Section 3 of the Pharmaceutical Service Plan Act ~~§§§§-Rev--Stat--1991--ch--327--par-6947~~ [215 ILCS 135/3 ~~§1992-Supp7~~], in Section 1002 of the Limited Health Service Organization Act ~~§§§§-Rev--Stat--1991--ch--737--par-1501-27~~ [215 ILCS 130/1002 ~~§1992-Supp7~~], and in Section 1-2 of the Health Maintenance Organization Act ~~§§§§-Rev--Stat--1991--ch-117-27--par--14027~~ [215 ILCS 125/1-2 ~~§1992-Supp7~~], and which issues or delivers in the State of Illinois policies, group contracts or certificates of life, annuity and accident and health insurance, which fall within the definition of Classes 1(a), 1(b) and 2(a) of Section 4 of said Illinois Insurance Code ~~§§§§-Rev--Stat--1991--ch--737--par-6167~~ [215 ILCS 5/4].

Department means the Illinois Department of Insurance.

Director means the Director of the Illinois Department of Insurance.

Electronic Mail Identification Number. The Electronic mail address that Department policy analysts may use to communicate electronically with the named contact person. Filers who use IBM mail shall include their IBM mail identification number. Internet users shall contact

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

pages. For purposes of completing the general transmittal sheet an OER is a policy form and does not require an association record.

Policy Form ~~form~~ means any form to be issued or delivered in the State of Illinois constituting in form and content a policy, group contract or certificate of insurance or evidence of coverage, endorsement, rider, by-law or other matter incorporated by reference, or application blank or discretionary group forms requiring the Director's approval pursuant to Section 230.2 and 367.3 of the Illinois Insurance Code (215 ILCS 5/230.2 and 5/367.3). It does not include riders or endorsements issued or made at the request of the individual policyholder relating to the manner of distribution of benefits or to the reservation of rights and benefits under a life insurance policy. A policy ~~Policy~~ form does not include any rider or endorsement made a part of a policy subsequent to the date the policy is issued and unilaterally reduces benefits; such riders or endorsements shall be reviewed and approved by the Director prior to their issuance or delivery pursuant to Section 143 of the Illinois Insurance Code (~~4111--Rev--Stat--1991--ch--73--par--755~~) (215 ILCS 5/143). A transmittal sheet is required to be submitted with all policy forms, including subsequently issued riders or endorsements.

Replacement/Withdrawal Transmittal Sheet means a coding blank to be completed ~~when a pending policy form is withdrawn~~ or when an approved policy form is being replaced, or when an approved policy form is no longer being issued. Instructions for completing the Replacement/Withdrawal Transmittal Sheet are found in Exhibit C, Illustration A.

Required Endorsement/Rider (RER) means an endorsement that incorporates a mandatory contract provisions which is required by a regulation or statute. Such RER shall ~~and must~~ be attached to a policy form either as a condition of approval or to incorporate new contract provisions. Required endorsement/riders (Type RER) shall not be made up of matrix insert pages.

Required Informational Material (RIM) includes, but is not limited to, those identified in 50 Ill. Adm. Code 1407.50 and 2012.60(f)(1) through (f)(3).

Schedule Page(s) (SCP) means a policy form which changes the terms or benefits of the policy or certificate to which it is attached. When a single policy or certificate could be issued with a multiple of different schedule pages, each schedule page shall be identified with a unique form number. A filing fee is required for each schedule page.

Subcode means a detailed description of the policy form, found in

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

the Department for more information. Filing acknowledgement postcards from the Department will include the electronic mail address of the analyst first assigned to review this filing.

Filing Identification Number means the number assigned by the company, not to exceed 15 characters, and is used to distinguish one filing from any other filing submitted by that same company. All policy forms submitted in a filing shall be for the same line of business and same category.

General Purpose Form means a policy form may be used with either a group or individual policy form.

General Transmittal Sheet means a coding blank which shall ~~must~~ be attached to the letter of submittal. Instructions for completing the General Transmittal Sheet follow as Exhibit C. All policy forms submitted on a general transmittal sheet shall be for the same line of business and the same category.

Informational Type means a filing of ~~Policy (INP)~~ means a policy, rate or other informational material which does not require approval by the Director of Insurance, but is filed for informational purposes only. Such filings ~~policy~~ would include, but not be limited to information policy (INP), other state approvals (OSA), calculations (CAL) and variable material (VAM). Anything listed as an Informational Type from Exhibit B of this Part shall be submitted on an informational transmittal sheet. ~~7-out-of-state-multiple-employer-trusts-(MEF)-or excess-loss-coverages.~~

Informational Transmittal Sheet means a coding blank to be completed when submitting an informational filing. See Exhibit C, Illustration C. Instructions for completing the Informational Transmittal Sheet are also found in Exhibit C, Illustration C. If the filing and form numbers of the policies to which this information is related are not listed, the informational filing will not be processed.

Matrix/Insert Page (MIP) means the type of policy forms submitted for review with consideration given to each provision or individual page. Each matrix insert page shall be identified with its own policy form number located in the lower left hand corner of the document. Each matrix insert page shall be associated to a policy or certificate. Optional endorsement riders (Type OER) shall not be made up of matrix insert pages.

Optional Endorsement/Rider (OER) means an endorsement which is not required by regulation or statute, and at the applicant/insured or insurer's option is ~~may be~~ attached to various policies. Optional endorsement riders (Type OER) shall not be made up of matrix insert

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

Exhibit B.

Type means the characteristic of the policy form found in Exhibit B.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 916.40 Filing Procedures Procedure

a) Effective July 1, 1996 and each July 1 thereafter, each company doing business in the State of Illinois shall submit a "Certificate of Compliance" for all previously approved policy forms on file with the Department and for all policy form filings to be made during the next fiscal year. Every May a listing of approved policy forms on file with the State of Illinois will be provided to each company. Each company is responsible for withdrawing the policy forms included in this listing which the company is no longer issuing or marketing. However, policy forms which require related informational rate filing to be made should not be withdrawn. Each company will be responsible for certifying that the remaining policy forms either in use or being issued are in compliance by submitting the Certificate of Compliance found in Part 916. Exhibit A (50 Ill. Adm. Code 916).

b) Each company shall file with and secure the approval of the Director of Insurance for each policy form before it is issued or delivered. b) Each policy form filing shall must include:

- 1) A letter of submission giving a detailed description of:
 - A) the purpose for the policy form and the manner in which it will be marketed;
 - B) a cross reference filing number for identical submissions made by affiliated companies;

- 2) The policy form(s) in duplicate;
- 3) A typewritten A-Certificate-of-Compliance-and-Consent-for-Future-Discontinuance--of--Use--as-set-forth-in-Exhibit-A-to-this-Part along-with-the General Transmittal Sheet, as set forth in Exhibit C, in duplicate identifying the company filing number and listing the policy form numbers. All forms in such filings shall be for the same line of business and the same category. Identify the 7 identifying-each-by-the-category, type, code, and subcode as set forth in the Exhibit B of this Part. The transmittal sheets required for policy form filings shall be substantially similar to those set forth in Exhibit C of this Part. Instructions for completing the General Transmittal Sheet and applying the category, type, code and subcode for each policy form are included in Exhibit C. Combination forms shall be submitted as two separate filings. Each shall be identified by its their own filing identification number and-category.

- 4) The text of each policy form shall must be made out in "John Doe" fashion, bracketing as-it-is-to-be-delivered-to-a-policyholder-or

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

certificate-owner-except-for any appropriate variable material. The form number shall appear in the lower left-hand corner of the policy form to be approved, and shall not exceed 30 characters.

- 5) On-the-Certificate--required--by--Section--916-59--the-name-address-and-telephone-number-of-the-individual-most-familiar-with-the-contents-of-the-form-filing-must-be-provided--the-Department-will-contact-that-named-individual-in-the-event-any-questions--or-comments-are-necessary-as-a-result-of-the-filing.

56) Resubmission of pending policy forms within a filing shall be submitted under their original "Filing Identification Number".

- c) Riders or endorsements which unilaterally reduce benefits, and are attached to a policy subsequent to the date the policy is issued, shall be reviewed and formally approved by the Director prior to their issuance or delivery and shall must be submitted on a separate typewritten general transmittal sheet. A Certificate of Compliance is not applicable to these formally approved policy forms.

d) Substitution of any new policy form for a form previously approved, where such new policy form bears the same form number or identification as the previously approved form, shall must be accompanied by a statement that the filing is a substitution and the number or identification of the previously approved form and the date of the previous approval together with advice that the previously approved policy form was never issued. Substitution filings shall must be assigned their own filing identification number, and the substituted filing shall must be withdrawn by completing a typewritten replacement/withdrawal transmittal sheet.

- e) A-policy-form-submitted-for-filing-under-this-Part-may--be--issued--or-delivered-only-after-the-policy-form-has-been-approved-by-the-Director of Insurance.

f) Each--Certificate-of-Compliance-and-Consent-to-Future-Discontinuance of--Use--must-be-in-a-form-substantially-similar-to-that--set--forth--in Exhibit-A-of-this-Part.

- eg) Individual accident and health policy form filings shall be accompanied by an informational rate filing which provides a description of the classification of risks and the premium rates. Data demonstrating the calculation of the rates shall accompany each individual accident and health policy form as a separate informational filing. Subsequent rates shall be submitted as information on a typewritten informational transmittal sheet an--informational--type filing pursuant to subsection (j) ¶¶ below.

f) Credit policy form filings shall be accompanied by an informational rate filing which provides a description of the classification of risks and the premium rates. Data demonstrating the calculation of the rates shall accompany each credit policy form as a separate informational filing. Subsequent credit rates shall be submitted on a typewritten informational transmittal sheet pursuant to subsection (j) below.

- gh) An invoice will be mailed to the company by the Department for the

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

required filing fee on a quarterly basis.

h) Each Replacement ~~replacement/Withdrawal~~ withdrawal of a policy form shall include:

1) A letter of explanation.
2) A typewritten Replacement/Withdrawal Transmittal Sheet, Exhibit C, Illustration A, in duplicate listing the filing identification number ~~Filing-identification-Number~~ and policy Policy form number of the forms to be withdrawn.

3) Each time a company's policy form will no longer be issued, it is the responsibility of the company to notify the Director of such action, on the Replacement/Withdrawal Transmittal Sheet, Exhibit C, Illustration A. Instructions for completing the Replacement/Withdrawal Transmittal Sheet are found in Exhibit C, Illustration A.

4) For withdrawals without replacement, each company will be required to notify the Department at the end of the fiscal year of the policy forms in use by said company. Each May a listing of approved policy forms on file with the State will be provided to each company. The company will be responsible for withdrawing the policy forms included on this annual listing which are no longer being issued or marketed.

5) Individual accident and health and Medicare supplement policy forms which require premium rate filings may not be withdrawn.

i) Each Certificate of Assumption submitted shall include:

1) A letter of submission;
2) The assumption certificate in duplicate;
3) A typewritten A-Certificate-of-Compliance-and-Consent-for-Future Discontinuance-of-Use-as-set-forth-in-Exhibit-A-of-this-Party along-with-the Certificate of Assumption Transmittal Sheet in duplicate, Exhibit C, Illustration B. An assumption certificate will not be approved until the assumed policy forms are listed on the required transmittal sheet. In instances where a company merges with another, or where a company assumes a block of business from another, the filing identification number Filing identification-Number is prefixed with the FEIN of the ceded company followed by a dash. Instructions for completing the Certificate of Assumption Transmittal Sheet are found in Exhibit C, Illustration B.

j) Each Informational Filing shall include:

1) A letter of submission in duplicate;
2) The informational material to be filed in duplicate;
3) A typewritten An Informational Transmittal Sheet in duplicate. Instructions for completing the Informational Transmittal Sheet are found in Exhibit C, Illustration C.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

Section 916.50 Certification of Compliance and Consent-to-Future Discontinuance-of-Use-of-Approved-Policy-Form Procedure for Order of Withdrawal

Each As-a-condition-to-the-utilization-of-the-foregoing-procedure-for-the filing-and-approval-of-policy-forms, each company shall, as of July 1, 1996 and each July 1 thereafter, submit a "Certification of Compliance and Consent-to Future-Discontinuance-of-Use-of-Approved-Policy-Form" for all previously approved policy forms on file with the Department and for all filings to be made during the next fiscal year. The certification shall be signed by an officer of the company, identified by title, who has the authority to obligate said company by such signature. In this manner, the company shall agree and consent to the discontinuance by-the-company of future use of any such approved policy form, 30+ days from the date of mailing an order of withdrawal issued by the Director pursuant to Section 143(1) of the Illinois Insurance Code. The order shall set-from-the-Director-of-insurance-setting-forth the reasons why such previously approved policy form is violative of or contrary to the provisions of the Illinois Insurance Code or 50 Ill. Adm. Code. Each company shall have the right to request a hearing within that 30 day period. Such request shall be made in writing to the Director. The 7-provided-however-that if-the-company-within-the-30-day-period-after-receipt-of-such-certified-mail notices-the-Director-of-insurance-of-its-desire-and-request-for-a hearing, order of withdrawal shall be stayed and the company shall be given afforded-an-early-opportunity-for a hearing under such provisions of Sections 143(1), 401(c), 401.1, 402(2), 426 and 429 of the Illinois Insurance Code (111 Rev. Stat. 1993, ch. 73, pars. 755(1)-755(1.1), 755(1.2)-755(1.3), 755(1.4)-755(1.5), [215 ILCS 5/143(1), 5/401(c), 5/401.1, 5/402(2), 5/426 and 5/429] and 50 Ill. Adm. Code 2402 as may be applicable to determine:

- a) whether or not such policy form shall be disapproved, and
- b) whether what further orders of the Director of insurance may be appropriate under the particular circumstances.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

Section 916. EXHIBIT A Certificate of Compliance and Consent-to-Future Discontinuance-of-Use-of-Approved-Policy-Form

Each company shall as of July 1, 1996 and each July 1 thereafter submit a policy-form-filing-under-Part-916-shall-be-accompanied-by-the-following "Certificate of Compliance-and-Consent-to-Future-Discontinuance-of-Use" in substantially this format. form-t

Certification of Compliance and-Consent-to-Future Discontinuance-of-Use-of-Approved-Policy-Form

(company name) by (name), its (title), does hereby certify that the accompanying policy form(s) as identified by either the Departmental listing attached hereto, or those filed by the Company during this fiscal year does tdot comply:

(a) with all provisions of the Illinois Insurance Code applicable to the policy forms form filings-t-submitted-here-with; and

(b) with 50 Ill. Adm. Code;

(c) and does further certify to the best of our knowledge and belief that:

- 1) the form(s) does tdot not contain any inconsistent,7 ambiguous or misleading clauses;
- 2) the form(s) does-tdot not contain specifications or conditions that unreasonably or deceptively affect the risk purported to be assumed in the general coverage of the policy form(s);
- 3) the only variation from the usual provisions of the policy form(s) of-the-kind--submitted--herewith are clearly marked or otherwise indicated on-the-respective--pages ----- of--the attached-forms-t-or-in-an-addendum-attached-here-to;
- 4) the policy form language as submitted or approved shall be attached-forms-t-is-tare-t-in-final-printed-format--and--is--fare-t exactly as they have been or will be offered for issuance or delivery in the State of Illinois as approved after--approval by the Director of-insurance, except for hypothetical data and other appropriate variable material; and
- 5) the policy form(s) the-attached-forms-t-does-t-dot not contain any provision or clause currently being disapproved by the Director of-insurance.

In utilizing the procedure for policy form filing and approval set forth in Part 916 (Company Name) hereby expressly agrees and consents to a review, by the Director, of--insurance to be made at any time, and further hereby expressly agrees and consents to the discontinuance by the company of future use of such approved policy form(s), thirty-t30-t days from the date of mailing an order of withdrawal issued by from the Director pursuant to Section 143(1) of the Illinois Insurance Code. The order shall set of-insurance setting forth the reasons why such previously approved policy form(s) is (are) violative of or contrary to the provisions of the Illinois Insurance Code or 50 Ill. Adm. Code. Each company shall have the right to request a hearing within

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

that 30 day period. Such request shall be made in writing to the Director. The 7--provided-however-that-if-the-company-with-the-thirty-(30)-day-period notifies-the-Director-of-insurance-of-its-desire-and-request-for-a-hearing-the order of withdrawal shall be stayed and the company shall be afforded-an-every opportunity--for given a hearing under the applicable provisions of Section 143(1), 401(c), 401.1, 402(2), 426 and 429 of the Illinois Insurance Code [Ill. Rev. Stat. 1991, ch. 73, pars. 735(1), 1013(c), 1013.1, 1014(2), 1033 and 1036] [215 ILCS 5/143(1), 401(c), 401.1, 402(2), 426 and 429] and 50 Ill. Adm. Code 2402 as may be applicable to determine;

t1a) whether or-not such policy form shall be disapproved, and;

t2b) whether what further orders of the Director of-insurance may be appropriate under-the-particular-circumstances.

(Company Name)

By: Its _____ (Officer Title)

Individual-responsible-for-this-filing:

Name: _____ Title: _____

Address: _____

Phone-Number: _____ Date: _____

(Source: Amended at 20 Ill. Reg. _____, effective _____)

DEPARTMENT OF INSURANCE
NOTICE OF PROPOSED AMENDMENTS

Section 916. EXHIBIT B Coding Guide

What is the information to be submitted submitting? If the information is being submitted under the same filing number as the policy form, a separate informational filing and transmittal sheet are not necessary.

- DSF DOMESTIC STATE FILING
- INP INFORMATIONAL POLICY
- OSA OTHER STATE APPROVAL
- RIM REQUIRED INFORMATIONAL MATERIAL

Informational Type/Related Forms Required

What is the type of information to be submitted? If the informational type requires related forms, the filing and form number of the related policy form must be listed on the informational transmittal sheet.

- RAT RATE
- CAL CALCULATIONS
- UBI UNIVERSAL-BIFB-INP
- VAM VARIABLE-MATERIAL
- DGI DISCRETIONARY GROUP INFORMATION
- VAA VARIABLE-ACCOUNT-ADVERTISING
- OSA OTHER-STATE-APPROVAL
- INP INFORMATIONAL-POLICY
- RIM REQUIRED-INFORMATIONAL-MATERIAL
- OOC OUTLINE OF COVERAGE
- POJ POLICY JACKET
- RAT RATE
- RIM REQUIRED INFORMATIONAL MATERIAL
- ULI UNIVERSAL LIFE INFORMATION
- VAA VARIABLE ACCOUNT ADVERTISING
- VAM VARIABLE MATERIAL

Code

Choose the code that best identifies the your policy form. Two codes may be used per policy form. Therefore, choose either one code or two codes which summarize the general terms of the your policy form.

- ACD ACCIDENTAL DEATH
- ADD ACCIDENTAL DEATH AND DISMEMBERMENT
- CIB CHILDRENS INSURANCE BENEFIT
- CON CONVERSION
- DII DISABILITY INCOME
- END ENDOWMENT
- EXC EXCLUSION
- FIB FAMILY INSURANCE BENEFIT
- GUI GUARANTEED INSURABILITY
- INL INDUSTRIAL LIFE

DEPARTMENT OF INSURANCE
NOTICE OF PROPOSED AMENDMENTS

Determine if the your policy is a general, individual or group life policy form. With this information, determine the category.

- GPL GENERAL PURPOSE LIFE
- INB INDIVIDUAL-BIFB
- GRL GROUP LIFE
- INL INDIVIDUAL LIFE

Type

The type of policy form determines how the policy form is to be used. Choose the type that best fits the your policy form.

Policy Form Type

Is the policy form an application, a policy or certificate?

- APP APPLICATION
- POL POLICY
- CER CERTIFICATE
- COM COMBINATION POLICY
- CPC COMBINATION POLICY CERTIFICATE
- OER OPTIONAL ENDORSEMENT/RIDER
- POC POLICY/CERTIFICATE
- POL POLICY

Attachment Type

Is the policy form an attachment type? Determine which policy filing(s) and form(s) this attachment type will be associated with.

- RER REQUIRED-ENDORSEMENT/RIDER
- MIP MATRIX/INSERT PAGE
- SEP SCHEDULE PAGE
- ASC ASSUMPTION CERTIFICATE
- MIP MATRIX/INSERT PAGE
- RER REQUIRED ENDORSEMENT RIDER
- SCP SCHEDULE PAGE

Informational Type/No Related Policy Forms Required

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

DIS	DISCRETIONARY-GROUP
MBR	M-B-R-T
TMB	TRUST-M-B-W-A
ASS	ASSOCIATION
PRA	FRANCHISE
ADB	ACCELERATED DEATH BENEFIT
ASS	ASSOCIATION
DEB	DECREASING BENEFIT
DEP	DECREASING PREMIUM
DIG	DISCRETIONARY GROUP
DUB	DUAL BENEFIT
FIP	FIXED PREMIUM
FLP	FLEXIBLE PREMIUM
FRA	FRANCHISE
IDP	INDETERMINATE PREMIUM
INB	INCREASING BENEFIT
INP	INCREASING PREMIUM
LEB	LEVEL BENEFIT
MET	M.E.T.
MOP	MODIFIED PREMIUM
NOR	NONRENEWABLE
OPB	OPTIONAL BENEFIT
PFB	PREARRANGED FUNERAL BENEFIT
REN	RENEWABLE
SCB	SINGLE CASE BASIS
SIP	SINGLE PREMIUM
TME	TRUST/M.E.W.A.
ANNUITIES	

Category

Determine if the your policy form is an individual or group policy form. With this information, determine the category.

GRA	GROUP ANNUITY
INA	INDIVIDUAL ANNUITY
GPN	GENERAL PURPOSE ANNUITY

Type

The type of policy form determines how the policy form is to be used. Choose the type that best fits the your policy form.

Policy Form Type

Is the policy form an application, a policy or certificate?

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

JTL	JOINT TERM LIFE
JWL	JOINT WHOLE LIFE
LAS	LAST SURVIVOR
LEE	LEGAL EXPENSE
LEP	LONG-TERM-CARE
LTP	LONG TERM (PARTNERSHIP)
LTT	LONG TERM (TRADITIONAL)
MOI	MORTGAGE INSURANCE
PAW	PAYOR WAIVER
SPB	SPECIFIED DISEASE
SIB	SPOUSE INSURANCE BENEFIT
SPD	SPECIFIED DISEASE
SUB	SUPPLEMENTAL BENEFIT
TBB	TERM-BIB
TEI	TERMINAL ILLNESS
TEL	TERM LIFE
UNL	UNISEX
UNL	UNIVERSAL LIFE
VBB	VARIABLE-UNIVERSAL-BIB
VAL	VARIABLE LIFE
VUL	VARIABLE UNIVERSAL LIFE
WOP	WAIVER-OF-PREMIUM
WHL	WHOLE LIFE
WOP	WAIVER OF PREMIUM

Subcode

The purpose of the subcode is to describe the code in more detail, and/or the type of policy being issued, i.e., Discretionary Group, Association, M.E.T., etc. Three subcodes are allowed for each policy form. If a subcode does not apply, it is not required.

ABB	ACCELERATED-DEATH-BENEFIT
OPB	OPTIONAL-BENEFIT
DUB	DUAL-BENEFIT
INB	INCREASING-BENEFIT
DEB	DECREASING-BENEFIT
LEB	LEVEL-BENEFIT
PFB	PREARRANGED-FUNERAL-BENEFIT
REN	RENEWABLE
NOR	NONRENEWABLE
SIP	SINGLE-PREMIUM
FIP	FIXED-PREMIUM
FLP	FLEXIBLE-PREMIUM
INP	INCREASING-PREMIUM
DEP	DECREASING-PREMIUM
MOP	MODIFIED-PREMIUM
IDP	INDETERMINATE-PREMIUM

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

APP APPLICATION
PEB POLICY
CER CERTIFICATE
POE POLICY/CERTIFICATE
OER OPTIONAL ENDORSEMENT/RIDER
POC POLICY/CERTIFICATE
POL POLICY

Attachment Type

Subcode

Is the policy form an attachment type? Determine which policy filing(s) and form(s) this attachment type will be associated with.

RER REQUIRED-ENDORSEMENT/RIDER
MIP MATRIX/INSERT-PAGE
SCP SCHEDULE PAGE

REQUIRE-ENDORSEMENT/RIDER
MATRIX/INSERT-PAGE
ASSUMPTION CERTIFICATE
MATRIX/INSERT PAGE
REQUIRED ENDORSEMENT RIDER
SCHEDULE PAGE

Informational Type/No Related Policy Forms Required

What is the type of information to be submitted you are submitting? If the information is being submitted under the same filing number as the policy form a separate informational filing and transmittal sheet are not necessary.

VAA VARIABLE ACCOUNT ADVERTISING
VAM VARIABLE MATERIAL
GSA OTHER STATE APPROVAL
INP INFORMATIONAL POLICY
DSF DOMESTIC STATE FILING
INP INFORMATIONAL POLICY
OSA OTHER STATE APPROVAL
VAA VARIABLE ACCOUNT ADVERTISING

Informational Type/Related Policy Forms Required

What is the type of information to be submitted? If the informational type requires related forms, the filing and form number of the related policy form must be listed on the informational transmittal sheet.

Choose the code that best identifies the year policy form filing. Two codes may be used per policy form. Therefore, choose either one code or two codes which summarize the general terms of your policy form.

Code

Policy Form Type

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

FIP FIXED PREMIUM
FLP FLEXIBLE PREMIUM
SIP SINGLE PREMIUM
SUB SUPPLEMENTAL BENEFIT

Subcode

The purpose of the subcode is to describe the code in more detail. Three subcodes are allowed for each policy form filing. If a subcode does not apply, it is not required.

BII EXTERNAL-INTEREST INDEXED
BII BUAB-INTEREST INDEXED
INS INTEREST-SENSITIVE
VAR VARIABLE
BEP BEP
IMM IMMEDIATE
DEF DEFERRED
DII DUAL INTEREST INDEXED
EII EXTERNAL INTEREST INDEXED
IMM IMMEDIATE
INS INTEREST SENSITIVE
SCB SINGLE CASE BASIS
VAR VARIABLE

CREDIT

Category

First, determine if the year policy form is an individual or group policy form. Second, determine if the year policy form is credit accident and health or credit life policy form. With this information, determine the category.

GBB GROUP-EREBB-TYPE
GCA GROUP CREDIT ACCIDENT AND HEALTH
GCL GROUP CREDIT LIFE
ICL INDIVIDUAL CREDIT LIFE
ICA INDIVIDUAL CREDIT ACCIDENT AND HEALTH

Type

The type of policy form determines how the policy form is to be used. Choose the type that best fits the year policy form.

Is the policy form an application, a policy or certificate?

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

APP APPLICATION
CER CERTIFICATE
COP COMBINATION POLICY
CPC COMBINATION POLICY CERTIFICATE
OER OPTIONAL ENDORSEMENT/RIDER
POC POLICY/CERTIFICATE
POL POLICY
OER OPTIONAL ENDORSEMENT/RIDER

Attachment Type

Is the policy form an attachment type? Determine which policy filing(s) and form(s) this attachment type will be associated with.

RER REQUIRED ENDORSEMENT/RIDER
MIP MATRIX/INSERT PAGE
SEP SCHEDULE PAGE
ASC ASSUMPTION CERTIFICATE
MIP MATRIX/INSERT PAGE
RER REQUIRED ENDORSEMENT/RIDER
SCP SCHEDULE PAGE

Informational Type/No Related Policy Forms Required

What is the type of information to be submitting you are submitting? If the information is being submitted under the same filing number as the policy form a separate informational filing sheet and transmittal sheet are not necessary.

DSF DOMESTIC STATE FILING
INP INFORMATIONAL POLICY
OSA OTHER STATE APPROVAL
RIM REQUIRED INFORMATIONAL APPROVAL

Informational Type/Related Policy Forms Required

What is the type of information to be submitted? If the informational type requires related forms, the filing and form number of the related policy form must be listed on the informational transmittal sheet.

RAT RATE
EAB CALCULATIONS
VAM VARIABLE MATERIAL
BSI DISCRETIONARY GROUP INFORMATION
OSA OTHER STATE APPROVAL
INP INFORMATIONAL POLICY
RIM REQUIRED INFORMATIONAL MATERIAL
CAL CALCULATIONS
RAT RATE

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

RIM REQUIRED INFORMATIONAL MATERIAL
VAM VARIABLE MATERIAL

Code

Choose the code that best identifies the year policy form. Two codes may be used per policy form. Therefore, choose either one code or two codes which summarize the general terms of the year policy form.

BBB LEVEL BENEFIT
DEB DECREASING BENEFIT
SUB SUPPLEMENTAL BENEFIT
LEB LEVEL BENEFIT
MOB MONTHLY OUTSTANDING BENEFIT
SUB SUPPLEMENTAL BENEFIT

Subcode

The purpose of the subcode is to describe the code in more detail. Three subcodes are allowed for each policy form. If a subcode does not apply, it is not required.

CPB CRITICAL PERIOD BENEFIT
TRB TRUNCATED BENEFIT
NOB NONSTANDARD BENEFIT
SIP SINGLE PREMIUM
MGP MONTHLY OUTSTANDING PREMIUM
LEB LEVEL BENEFIT
MOB MONTHLY OUTSTANDING PREMIUM
NOB NONSTANDARD BENEFIT
SIP SINGLE PREMIUM
TRB TRUNCATED BENEFIT

ACCIDENT AND HEALTH

Category

Determine if the year policy form is general purpose, individual or group. With this information, determine the category.

GPA GENERAL PURPOSE A&H
IAH INDIVIDUAL A&H
GAH GROUP A&H
GPA GENERAL PURPOSE A&H
IAH INDIVIDUAL A&H

Type

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

The type of policy form determines how the policy form is to be used. Choose the type that best fits the year policy form.

Policy Form Type

Is the policy form an application, a policy or certificate?

- APP APPLICATION
- P05 POLICY
- CER CERTIFICATE
- P06 POLICY/CERTIFICATE
- COP COMBINATION POLICY
- CPC COMBINATION POLICY CERTIFICATE
- OER OPTIONAL ENDORSEMENT/RIDER
- POC POLICY/CERTIFICATE
- POL POLICY

Attachment Type

Is the policy form an attachment type? Determine which policy filing(s) and form(s) this attachment type will be associated with.

- RER REQUIRED ENDORSEMENT/RIDER
- MIP MATRIX/INSERT PAGE
- SEP SEPARATE PAGE
- ASC ASSUMPTION CERTIFICATE
- MIP MATRIX/INSERT PAGE
- RER REQUIRED ENDORSEMENT/RIDER
- SCP SCHEDULE PAGE

Informational Type/No Related Policy Forms Required

What is the type of information to be submitted you--are--submitting? if--the information is being submitted under the same filing number as the policy form? a separate informational filing form and transmittal sheet are not necessary.

- ADV ADVERTISING
- DSF DOMESTIC STATE FILING
- IEP INFORMATIONAL EXCESS POLICY
- INP INFORMATIONAL POLICY
- OSA OTHER STATE APPROVAL
- RIM REQUIRED INFORMATIONAL MATERIAL

Informational Type/Related Policy Forms Required

What is the type of information to be submitted? If the informational type requires related forms, the filing and form number of the related policy form must be listed on the informational transmittal sheet.

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

- RAT RATE
- EAB CALCULATIONS
- ADV ADVERTISING
- VAM VARIABLE MATERIAL
- BGI DISCRETIONARY-GROUP INFORMATION
- ESA OTHER STATE APPROVAL
- EEG OUTLINE OF COVERAGE
- INP INFORMATIONAL-POLICY
- RIM REQUIRED INFORMATIONAL MATERIAL
- ADV ADVERTISING
- CAL CALCULATIONS
- DGI DISCRETIONARY GROUP INFORMATION
- OC OUTLINE OF COVERAGE
- RAT RATE
- VAM VARIABLE MATERIAL
- RIM REQUIRED INFORMATIONAL MATERIAL

Code

Choose the code that best identifies the year policy form. Two codes may be used per policy form. Therefore, choose either one code or two codes which summarize the general terms of the year policy form.

- ABB ACCIDENTAL-DEATH-AND-DISEMBEUREMENT
- ACO ACCIDENT ONLY
- ADD ACCIDENTAL DEATH AND DISEMBEUREMENT
- AMC AMBULANCE COVERAGE
- BLA BLANKET
- CAN CANCER
- COM COMPREHENSIVE MEDICAL
- CON CONVERSION
- CUS CUSTODIAL
- DEN DENTAL
- DII DISABILITY INCOME
- EXB EXCESS
- EXC EXCLUSION
- EXE EXCESS
- HHC HOME HEALTH CARE
- HOI HOSPITAL INDEMNITY
- HSM HOSPITAL/SURGICAL MEDICAL
- LEE LEGAL EXPENSE
- ENG-TERM-CARE LONG TERM (PARTNERSHIP)
- LTP LONG TERM (TRADITIONAL)
- LTT LONG TERM (TRADITIONAL)
- NAM MAJOR MEDICAL
- MAT MATERNITY
- MES MEDICARE SUPPLEMENT
- NHC NURSING HOME CARE

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

PHC PHARMACEUTICAL COVERAGE
WBP WAIVER-OP-PREMIUM
SCS SCHOOL COVERAGE/STUDENTS
SNF SKILLED NURSING FACILITY
SPD SPECIFIED DISEASE
STL STOP LOSS
SUB SUPPLEMENTAL BENEFIT
TRA TRAVEL ACCIDENT
VIC VISION COVERAGE
WOP WAIVER OF PREMIUM

Subcode

The purpose of the subcode is to describe the code in more detail, and/or the type of policy being issued, i.e., Discretionary Group, Association, M.E.T., etc. Three subcodes are allowed for each policy form. If a subcode does not apply, it is not required.

L1B LIMITED-BENEFIT
P1A PREFERRED-PROVIDER-ARRANGEMENT
NON NONCANCELLABLE
GUR GUARANTEED-RENEWABLE
OPR OPTIONALLY-RENEWABLE
COP COMPOSITE-PREMIUM
TTP TERM-PREMIUM
MOP MONTHLY-PREMIUM
P0S POINT-OF-SERVICE
B1G DISCRETIONARY-GROUP
MET M.E.T.
TMB TRUST/M-B-W-A-
ASS ASSOCIATION
PRA FRANCHISE
B00 DUAL-OPTION
ASS ASSOCIATION
COP COMPOSITE PREMIUM
DIG DISCRETIONARY GROUP
DUO DUAL OPTION
FRA FRANCHISES
GUR GUARANTEED RENEWABLE
L1B LIMITED BENEFIT
MET M.E.T.
MOP MONTHLY PREMIUM
NON NONCANCELLABLE
OPR OPTIONALLY RENEWABLE
POS POINT OF SERVICE
P1A PREFERRED PROVIDER ARRANGEMENT
SEG SMALL EMPLOYER GROUP
[215 ILCS 5/351B-1]

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

SEP SMALL EMPLOYER PORTABLE
[215 ILCS 95]
SCB SINGLE CASE BASIS
TTP TERM PREMIUM
TME TRUST/M.E.W.A.

SERVICE ORGANIZATIONS

Category

First, determine if the year policy form is an individual or group policy form. Second, determine whether the submission is being made by a service organization, a health maintenance organization, or a limited health service organization. With this information, determine the category.

SEP SERVICE-ORGANIZATIONS
IHM INDIVIDUAL-HEALTH-MAINTENANCE-ORGANIZATION
GHR GROUP-HEALTH-MAINTENANCE-ORGANIZATION
BHS LIMITED-HEALTH-SERVICE-ORGANIZATION
GHR GROUP HEALTH MAINTENANCE ORGANIZATION
GLH GROUP LIMITED HEALTH SERVICE ORGANIZATION
GSO GROUP SERVICE ORGANIZATION
IHM INDIVIDUAL HEALTH MAINTENANCE ORGANIZATION
ILH INDIVIDUAL LIMITED HEALTH SERVICE ORGANIZATION
ISO INDIVIDUAL SERVICE ORGANIZATION

Type

The type of policy form determines how the policy form is to be used. Choose the type that best fits the year policy form.

Policy Form Type

Is the policy form an application, a policy or certificate?

APP APPLICATION
P0B Policy
CER CERTIFICATE
IDC IDENTIFICATION CARD
MEM MEMBER HANDBOOK
POC POLICY/CERTIFICATE
POL POLICY
OER OPTIONAL ENDORSEMENT/RIDER

Attachment Type

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

Is the policy form an attachment type? Determine which policy filing(s) and form(s) this attachment type will be associated with.

RER REQUIRED-ENDORSEMENT/RIDER
MIP MATRIX/INSERT-PAGE
SEP SCHEDULE PAGE
ASC ASSUMPTION CERTIFICATE
MIP MATRIX/INSERT PAGE
RER REQUIRED ENDORSEMENT/RIDER
SCP SCHEDULE PAGE

Informational Type/No Related Policy Forms Required

What is the type of information to be submitted you are submitting? If the information is being submitted under the same filing number as the policy form, a separate informational filing and transmittal sheet are not necessary.

RAT RATE
ADV ADVERTISING
VAM VARIABLE MATERIAL
FBB FEDERAL BENEFIT BROCHURE
MEH MEMBER HANDBOOK
IBE IDENTIFICATION CARD
ASO ADMINISTRATIVE SERVICE ONLY
RIM REQUIRED INFORMATIONAL MATERIAL
FBB FEDERAL BENEFIT BROCHURE
GRP GRIEVANCE PROCEDURES
RIM REQUIRED INFORMATIONAL MATERIAL

Informational Type/Related Policy Forms Required

What is the type of information to be submitted? If the informational type requires related forms, the filing and form number of the related policy form must be listed on the informational transmittal sheet.

RAT RATE
RIM REQUIRED INFORMATIONAL MATERIAL
VAM VARIABLE MATERIAL

Code

Choose the code that best identifies the year policy form. Two codes may be used per policy form. Therefore, choose either one code or two codes which summarize the general terms of the year policy form filing.

AMC AMBULANCE COVERAGE
BHC BASIC HEALTH COVERAGE
CLL CLINICAL LABORATORY

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

CON CONVERSION
DEN DENTAL
EXC EXCLUSION
MED MEDICARE
MES MEDICARE SUPPLEMENT
PHC PHARMACEUTICAL COVERAGE
POC PODIATRIC COVERAGE
VIC VISION COVERAGE
SUB SUPPLEMENTAL BENEFIT
VIC VISION COVERAGE

Subcode

The purpose of the subcode is to describe the code in more detail, and/or the type of policy being issued, i.e., Discretionary Group, Association, M.E.T., etc. Three subcodes are allowed for each policy form. If a subcode does not apply, it is not required.

EMP EMPLOYMENT
GEE GROSS EARNINGS
HCP HEALTH CARE PREPAYMENT PLAN
PAB PUBLIC AID BENEFITS
POS POINT-OF-SERVICE
RIS RISK-CONTRACT
SGB SINGLE-CASE BASIS
SOI STATE-OF-ILLINOIS
PPA PREFERRED PROVIDER ARRANGEMENT
BIB BUREAU OF INSURANCE
M-E-T M.E.T.
TRUST/M-E-W-A- TRUST/M-E-W-A-
ASS ASSOCIATION
BIB BUREAU OF INSURANCE
ASS ASSOCIATION
CMP COMPETITIVE MARKETING PLAN
COC COST CONTRACT
DISC DISCRETIONARY GROUP
DUAL DUAL OPTION
HCP HEALTH CARE PREPAYMENT PLAN
M-E-T M.E.T.
PAB PUBLIC AID BENEFITS
POS POINT-OF-SERVICE
PPA PREFERRED PROVIDER ARRANGEMENT
RIS RISK CONTRACT
SEP SMALL EMPLOYER PORTABLE
[215 ILCS 95]
SCB SINGLE CASE BASIS
SOI STATE OF ILLINOIS
TRUST/M-E-W-A- TRUST/M-E-W-A-

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 916. EXHIBIT C General Transmittal Instructions and Transmittal Sheet

- 1) Company Name
- 2) Company Contact Person Mailing Address
- 3) Company FEIN - Federal Employer Identification Number
- 4) Company Filing Number - Number used to distinguish this policy form filing from any other policy form filing submitted to the Department of Insurance for approval or withdrawal. This number is limited to 15 characters. Do not use blank spaces in filing numbers. Blank spaces will be ignored. When withdrawing a pending filing from further consideration, the Company Filing Number for the withdrawal filing shall be the same as the Company Filing Number assigned when the filing was originally submitted.
- 5) Company Contact Person - The individual's name who is individual most familiar with this form filing.
- 6) Contact Person Phone Number - Telephone number of Contact Person.
- 7) Electronic Mail Identification Number
- 87) Submittal Date - Date filing is sent to Department of Insurance.
- 88) New Policy Forms
 - A) SEQ # - Sequence number is used to facilitate future retrieval of microfilmed forms at the Department. This number identifies the physical placement of a form within a filing. The sequence number shall must follow the physical order of forms within a filing.
 - B) New Policy Form # - Identification in the lower left-hand corner of policy form being submitted. This number is limited to 30 characters. Do not use blank spaces when identifying a policy form. Blank spaces will be ignored.
 - C) Category - The classification of the policy form taken from the Coding Guide (Exhibit B of this Part). Note that every form in the filing must be for the same category. Category GPI, and GPA and GPN apply only to applications and endorsements.
 - D) Type - The characteristic abbreviation of the policy form taken from the Coding Guide (Exhibit B of this Part).
Note: For purposes of completing this transmittal sheet, an optional endorsement/rider (Type OER) is considered a policy form.
 - E) Code - The descriptive abbreviation of the policy form taken from the Coding Guide (Exhibit B of this Part). Choose one or two codes which best fit the general terms of your policy form filing. If a code does not apply, leave the space blank.
 - F) Subcode - A more detailed descriptive abbreviation of the policy form taken from the Coding Guide (Exhibit B of this Part) (if only one subcode applies, then leave the other spaces blank; if a subcode does not apply, leave the space

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

blank).
 G) P/N - Indicate if the policy form is Participating or Non-Participating by placing a P or an N in the blank. If the term is not applicable, leave the space blank.
 Note: When submitting more policy forms than the transmittal sheet will allow for, continue completing the same section on an additional form, including the information in items one through eight five and the appropriate page number.

109) New Attachments (Type RER) Required Endorsement/Rider, (Type MIP) Matrix/Insert Page, (Type SCP) Schedule Page) to be added to every Policy Form listed in Section 9 7 and/or Section 11 9. A Required Endorsement/Rider is one which is required by statute or Administrative Code and shall must be attached to the policy as a condition for approval or to incorporate new contract provisions. If the attachments do not associate attach to all policy forms listed in Section 9 7 and/or Section 11 9, those attachments shall must be submitted on a separate transmittal sheet.

A) SEQ # - Sequence number is used to facilitate future retrieval of forms by this Department. This number identifies the physical placement of a form within a filing. The sequence number shall must follow the physical order of forms within a filing.

B) New Attachment Form # - Identification in the lower left-hand corner of policy form being submitted. This number is limited to 30 characters. Do not use blank spaces when identifying a policy form.

C) Category - The classification of the policy form taken from the Coding Guide (Exhibit B of this Part).

D) Type - The characteristic abbreviation of the policy form taken from the Coding Guide (Exhibit B of this Part).

E) Code - The descriptive abbreviation of the policy form taken from the Coding Guide (Exhibit B of this Part). Choose one or two codes which best fit the general terms of your policy form filing. If a code does not apply, leave the space blank.

F) Subcode - A more detailed descriptive abbreviation of the policy form taken from the Coding Guide (Exhibit B of this Part) (if only one subcode applies, then leave the other spaces blank; if a subcode does not apply, leave the space blank).

Note: When submitting more policy forms than the transmittal sheet will allow for, continue completing the same section on an additional form, including the information in items one through eight five and the appropriate page number.

1110) Attachments added to previously approved Policy Form.

A) Previously Approved Filing # - If the attachment in Section

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

10 0 (Type MIP), (Type RER ENB) or (Type SCP) is to be added to a previously approved policy form, list the original filing number of that policy form filling here.
 Note: If forms are acquired through a merger, use the original filing number prefixed with the FEIN of the original company followed by a dash.

B) Previously Approved Policy Form # - Identification of the previously approved policy form shall must be listed here.
 Note: When submitting more policy forms than the transmittal sheet will allow for, continue completing the same section on an additional form, including the information in items one through eight five and the appropriate page number.

1211) Previously Approved Attachments - If these attachments will be issued with the new policy form listed in Section 9 7, list here. These attachments include required endorsements (Type RER) or matrix/insert pages (Type MIP) or schedule pages (Type SCP).

A) Previously Approved Attachment Filing # - The original filing number of the policy form to be maintained as an attachment.

B) Previously Approved Attachment Form # - Identification for the policy form to be maintained as an attachment to the policy listed in Section 9 7.

Note: When submitting more policy forms than the transmittal sheet will allow for, continue completing the same section on an additional form, including the information in items one through eight five and the appropriate page number.

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

Company FEIN-

Company FEIN _____
Company Filing Number _____

Page ____ of ____

10 11) PREVIOUSLY APPROVED POLICY FORMS If the new attachments (Type MIP), (Type END RER), (Type SCP) in Section 8 10 are to be added to a previously approved Policy Form, list below.

[illegible]

11-12) **PREVIOUSLY APPROVED ATTACHMENTS** If a previously approved attachment is to be used with a new Policy Form listed in Section 2.9, list these attachments below.

[illegible]

(Source: Amended at 20 Ill. Reg. _____, effective _____.)

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

Page _____ of _____

GENERAL TRANSMITTAL SHEET

11) COMPANY NAME _____

2) COMPANY CONTACT PERSON MAILING ADDRESS _____

3) COMPANY FEIN

4) COMPANY FILING NUMBER (

5) COMPANY CONTACT PERSON _____

6) CONTACT PERSON PHONE NUMBER

7) ELECTRONIC MAIL ID # _____

78) SUBMITTAL DATE

2.9) NEW POLICY FORMS

-For Department Use Only-

[illegible]

10. **NEW ATTACHMENTS (Required Endorsement/Rider (Type PER), Matrix/Insert Page (Type MIP), Schedule Page (Type SCP))** to be added to every Policy Form listed in Section 7.9 and/or Section 9.11. A Required Endorsement/Rider is one which is required by statute or ~~rule~~ shall be attached to the policy as a condition for approval or to incorporate new contract provisions.

[illegible]

DEPARTMENT OF INSURANCE
NOTICE OF PROPOSED AMENDMENTS

DEPARTMENT OF INSURANCE
NOTICE OF PROPOSED AMENDMENTS

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 916. ILLUSTRATION A Replacement/Withdrawal Transmittal Instructions and Transmittal Sheet

- 1) Company Name
 - 2) Company Contact Person Mailing Address
 - 3) Company FEIN - Federal Employer Identification Number
 - 4) Company Filing Number - Number used to distinguish this policy form withdrawal filing from any other policy form withdrawal filing submitted to Illinois. This number is limited to 15 characters. Do not use blank spaces in filing numbers. Blank spaces will be ignored.
 - 5) Company Contact Person - The individual's individual's name who is most familiar with this filing-
 - 6) Company Contact Person Phone Number - Telephone number of Contact Person Phone-number-for-individual-most-familiar-with-this-filing
 - 7) Electronic Mail Identification Number
 - 8) Submittal Date - Date Replacement/Withdrawal is sent to Department.
 - 9) A withdrawn form is considered to be a previously approved form one which will no longer be issued in the State of Illinois, a pending---form---you---wish---to---have---withdrawn---from---further consideration or a policy form which has been substituted.
 - A) Company Filing # - The number identifying the year filing to be withdrawn when originally submitted. Do not use blank spaces in filing numbers.
 - B) Policy Form # - The Identification of the policy form you wish withdrawn. Do not use blank spaces when identifying policy numbers.
- Note: The effective date of withdrawal is the date this request is processed at the Department of Insurance.
- Note: When submitting more policy forms than the transmittal sheet will allow for, continue completing the same section on an additional form, including the information in items one through eight four and the appropriate page number.
- Note: For withdrawals without replacement, your company has the option of notifying the Department at year-end. Each December a listing of approved policy forms on file with the State of Illinois will be provided to your company. Your company will be responsible for withdrawing the policy forms included on this annual listing which you are no longer issuing. Instructions for withdrawing such forms will be provided with the listing.
- Note: For withdrawals without replacement, your company will be required to notify the Department of which policy forms are still in use. Such notification must be made at the end of the fiscal year. Each May listing of approved policy forms on file with the State of Illinois will be

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

provided to your company. Your company will be responsible for withdrawing the policy forms included on this annual listing which you are no longer issuing and for certifying that the remaining policy forms either in use or being issued are in compliance by submitting a certificate of compliance found in Exhibit A of this Part.

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

REPLACEMENT/WITHDRAWAL TRANSMITTAL SHEET

Page ____ of ____

1) COMPANY NAME _____

2) COMPANY ADDRESS _____

3) COMPANY FEIN _____

4) COMPANY FILING NUMBER _____

5) COMPANY CONTACT PERSON _____

6) CONTACT PERSON PHONE NUMBER _____

7) If you are withdrawing an approved policy form, list below:

(a)

COMPANY FILING ID #

(b)

POLICY FORM #

Note: The effective date of withdrawal is the date this request is processed at the Department of Insurance.

Note: When submitting more policy forms than the transmittal sheet will allow for, continue completing the same section on an additional form, including the information in items one through four and the appropriate page number.

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

(Source: Amended at 20 Ill. Reg. _____, effective _____)

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

Section 916. ILLUSTRATION B Certificate of Assumption Transmittal Instructions and Transmittal Sheet

- 1) Assuming Company Name
- 2) Assuming Company Contact Person Mailing Address
- 3) Assuming Company FEIN - Federal Employer Identification Number
- 4) Assuming Company Filing Number - Number used to distinguish this policy form filing from any other policy form filing submitted to Illinois for approval. Do not use blank spaces in filing numbers.
- 5) Assuming Company Contact Person - The individual's individual's name who is most familiar with this filing
- 6) Contact Person Phone Number - Telephone number of Contact Person
- 7) Phone-number-for-individual-most-familiar-with-this-filing
- 7) Electronic Mail Identification Number
- 8) Assuming Company Name
- 9) Assuming Company FEIN - Federal Employer Identification Number
- 10) Submittal Date - Date Assumption Transmittal is sent to the Department

119) Assumption Certificate

- A) Policy Form # - Identification in the lower left-hand corner of policy form being submitted. Do not use blank spaces when identifying a policy form.
 - B) Category - The classification of the policy form taken from the coding guide (Exhibit B of this Part).
 - C) Type - The characteristic abbreviation "ASC" taken from the coding guide (Exhibit B of this Part).
 - B) Code---The-descriptive-abbreviation-of-the-policy-form-taken-from-Exhibit-B-if-the-code-does-not-apply-to-your-filing-leave-the-space-blank?-
 - B) Subcode---A-more-detailed-descriptive-numerical-designation-of-the-policy-form-taken-from-Exhibit-B-if-only-one-subcode applies, then leave the other spaces blank?-
- 120) Previously approved ceding company filing number and policy form # affected by the Assumption Certificate A. Do not use blank spaces in filing numbers or when identifying policy forms.
- 11) Previously approved ceding company filing number and policy form #--affected-by-Assumption-Certificate-B---Do-not-use-blank-spaces in-filing-numbers-or-when-identifying-policy-forms-
 - 12) Previously approved ceding company filing number and policy form #--affected-by-Assumption-Certificate-G---Do-not-use-blank-spaces in-filing-numbers-or-when-identifying-policy-forms-
- Note: Assumption certificates will not be approved until the list of assumed policy forms is are listed on the required transmittal sheet.

Note: When submitting more policy forms than the transmittal sheet will allow for, continue completing the same section on an additional form, including the information in items one through

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

ten seven and the appropriate page number.

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

CERTIFICATE OF ASSUMPTION TRANSMITTAL SHEET

Page ____ of ____

- 1) ASSUMING COMPANY NAME _____
- 2) ASSUMING COMPANY ADDRESS _____
- 3) ASSUMING COMPANY FEIN [] _____
- 4) ASSUMING COMPANY FILING NUMBER [] _____
- 5) ASSUMING COMPANY CONTACT PERSON _____
- 6) CONTACT PERSON PHONE NUMBER _____
- 7) CEDING COMPANY NAME _____
- 8) CEDING COMPANY FEIN [] _____
- 9) ASSUMPTION CERTIFICATE _____

	(a) POLICY FORM #	(b) CAT	(c) TYPE	(d) CODE	(e) SUB-CODE
A.	_____	[]	[]	ASC	[]
B.	_____	[]	[]	ASC	[]
C.	_____	[]	[]	ASC	[]

10) Previously Approved Policy Forms Affected by Assumption Certificate #A

CEDING COMPANY FILING

CEDING POLICY FORM

A1.	_____	_____
A2.	_____	_____
A3.	_____	_____

11) Policy Forms Affected by Assumption Certificate #B

CEDING COMPANY FILING

CEDING POLICY FORM

B1	_____	_____
B2	_____	_____
B3.	_____	_____

12) Ceding Company Policy Forms Affected by Assumption Certificate #C

CEDING COMPANY FILING

CEDING POLICY FORM

C1.	_____	_____
C2.	_____	_____
C3	_____	_____

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

(Source: Amended at 20 Ill. Reg. _____, effective _____)

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

Section 916. ILLUSTRATION C Informational Filing Transmittal Instructions and Transmittal Sheet

- 1) Company Name
- 2) Company Contact Person Mailing Address
- 3) Company FEIN - Federal Employer Identification Number
- 4) Company Contact Person - The individual's name who is individual most familiar with this informational filing
- 5) Contact Person Phone Number - Telephone number of Contact Person
- 6) Electronic Mail Identification Number
- 7) Submittal Date - Date Informational Transmittal is sent to the Department

36) Informational Filings:

- A) Company Filing # - Number used to distinguish this informational filing from any other filing submitted to Illinois for filing. This number is limited to 15 characters. Do not use blank spaces in filing numbers. Blank spaces will be ignored.
- B) Category - The classification of the policy form taken from the coding guide (Exhibit B of this Part).
- C) Information Type - The characteristic abbreviation of the Informational Type taken from the Coding Guide (Exhibit B of this Part). If no related forms are required, as disclosed in Exhibit B of this Part, the transmittal is complete. If related forms are required, the following items must be completed.
 - D) Related Previously Approved Filing # - Number used for previously approved/filed form to for which this informational filing relates applies.
 - E) Related Previously Approved Form # - Identification of the previously approved policy form to which this information relates must be listed here.

Note: If the related previously approved filing # and form # are not listed on this transmittal, the informational filing will not be processed.

Note: Only one informational filing can be made per transmittal sheet.

Note: When submitting more policy forms than the transmittal sheet will allow for, continue completing the same section on an additional form, including the information in items one through seven and the appropriate page number.

DEPARTMENT OF INSURANCE
NOTICE OF PROPOSED AMENDMENTS

Page ____ of ____

INFORMATIONAL TRANSMITTAL SHEET

- 1) COMPANY NAME _____
2) COMPANY CONTACT PERSON MAILING ADDRESS _____
3) COMPANY FEIN L _____
4) COMPANY CONTACT PERSON _____
5) CONTACT PERSON PHONE NUMBER _____
6) ELECTRONIC MAIL ID # _____
7) SUBMITTAL DATE _____
8) INFORMATIONAL FILINGS:

- a) COMPANY FILING # _____
- b) CATEGORY _____
- c) INFORMATION TYPE _____
- d) RELATED PREVIOUSLY APPROVED FILING # _____
- e) F

- e) RELATED PREVIOUSLY
APPROVED FORM #

[illegible]

—For Department Use Only—

POLLUTION CONTROL BOARD
NOTICE OF PROPOSED AMENDMENTS

reference R96-5 and be sent to:

Dorothy Gunn
Clerk of the Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, IL 60601
(312) 814-6931

and

Rachel L. Doctors
Assistant Counsel
Illinois Environmental Protection Agency
Bureau of Air
P.O. Box 19276
Springfield, IL 62794-9276
(217) 524-3333

Questions regarding these proposed amendments may be addressed to: Marie E. Tinsford, Attorney Assistant, Illinois Pollution Control Board, 100 West Randolph Street, Suite 11-500, Chicago, IL 60601, (312) 814-4925.

12) Initial Regulatory Flexibility Analysis: This proposal is part of a rulemaking that addresses USEPA's conditional approval of Illinois' PM-10 State Implementation Plan ("SIP").

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: November 20, 1995
- B) Types of small businesses affected: Any small business which emits PM-10 located in Lake Calumet or McCook areas in Cook County or Granite City in Madison County which are moderate nonattainment areas for PM-10.

C) Reporting, bookkeeping or other procedures required for compliance: None

D) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: July 1995

The full text of the Proposed Rule(s) begins on the next page

POLLUTION CONTROL BOARD
NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Definitions and General Provisions

2) Code Citation: 35 Ill. Adm. Code 211

3) Section Numbers: Proposed Action:

- | | |
|----------|----------|
| 211.101 | Amended |
| 211.484 | New |
| 211.485 | New |
| 211.1465 | New |
| 211.2110 | Repealed |
| 211.2130 | Repealed |
| 211.3990 | Repealed |
| 211.4010 | Repealed |
| 211.4130 | Amended |

4) Statutory Authority: 415 ILCS 5/27 and 28.5

5) A Complete Description of the Subjects and Issues Involved: This proposal is part of a rulemaking that addresses USEPA's conditional approval of Illinois' PM-10 State Implementation Plan ("SIP"). USEPA designated Lake Calumet and McCook areas in Cook County and Granite City in Madison County as moderate nonattainment areas for PM-10. As a result, Illinois developed the State Implementation Plan for PM-10. The USEPA conditionally approved the SIP on November 18, 1994 (59 F.R. 59653). The USEPA cited four issues which needed to be addressed in rulemaking prior to full SIP approval noting that failure to do so could subject Illinois to monetary and other sanctions. The amendments to this Part along with amendments proposed today in Part 212 will address USEPA concerns. A more complete description may be found in the Board's opinion and order of November 16, 1995 in this docket R96-5.

6) Will this proposed rule replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed rule (amendment, repealer) contain incorporations by reference? Yes

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Policy Objectives: These proposed rules and amendments are required by the 1990 amendments to the Clean Air Act and do not create or enlarge a state mandate as defined in Section 3(b) of the State Mandate Act [30 ILCS 805/3(b)].

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Written comments concerning this rulemaking should

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION

SUBTITLE B: AIR POLLUTION

CHAPTER I: POLLUTION CONTROL BOARD

SUBCHAPTER C: EMISSION STANDARDS AND LIMITATIONS
FOR STATIONARY SOURCES

PART 211

DEFINITIONS AND GENERAL PROVISIONS

SUBPART A: GENERAL PROVISIONS

Section

211.101 Incorporations by Reference
211.102 Abbreviations and Conversion Factors

SUBPART B: DEFINITIONS

Section

211.121 Other Definitions
211.122 Definitions (Repealed)
211.130 Accelacota
211.150 Accumulator
211.170 Acid Gases
211.210 Actual Heat Input
211.230 Adhesive
211.240 Adhesion Promoter
211.250 Aeration
211.270 Aerosol Can Filling Line
211.290 Afterburner
211.310 Air Contaminant
211.330 Air Dried Coatings
211.350 Air Oxidation Process
211.370 Air Pollutant
211.390 Air Pollution
211.410 Air Pollution Control Equipment
211.430 Air Suspension Coater/Dryer
211.450 Airless Spray
211.470 Air Assisted Airless Spray
211.474 Alcohol
211.484 Animal
211.485 Animal Pathological Waste
211.490 Annual Grain Through-Put
211.495 Anti-Glare/Safety Coating
211.510 Application Area
211.530 Architectural Coating
211.550 As Applied
211.560 As-Applied Fountain Solution
211.570 Asphalt

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Asphalt Prime Coat

Automobile

211.590 Asphalt Prime Coat
211.610 Automobile
211.630 Automobile or Light-Duty Truck Assembly Source or Automobile or Light-Duty Truck Manufacturing Plant
211.650 Automobile or Light-Duty Truck Refinishing
211.660 Automotive/Transportation Plastic Parts
211.670 Baked Coatings
211.680 Bakery Oven
211.685 Basecoat/Clearcoat System
211.690 Batch Loading
211.695 Batch Operation
211.696 Batch Process Train
211.710 Bead-Dipping
211.730 Binders
211.750 British Thermal Unit
211.770 Brush or Wipe Coating
211.790 Bulk Gasoline Plant
211.810 Bulk Gasoline Terminal
211.820 Business Machine Plastic Parts
211.830 Can
211.850 Can Coating
211.870 Can Coating Line
211.890 Capture
211.910 Capture Device
211.930 Capture Efficiency
211.950 Capture System
211.970 Certified Investigation
211.980 Chemical Manufacturing Process Unit
211.990 Choke Loading
211.1010 Clean Air Act
211.1050 Cleaning and Separating Operation
211.1070 Cleaning Materials
211.1090 Clear Coating
211.1110 Clear Topcoat
211.1130 Closed Purged System
211.1150 Closed Vent System
211.1170 Coal Refuse
211.1190 Coating
211.1210 Coating Applicator
211.1230 Coating Line
211.1250 Coating Plant
211.1270 Coil Coating
211.1290 Coil Coating Line
211.1310 Cold Cleaning
211.1330 Complete Combustion
211.1350 Component
211.1370 Concrete Curing Compounds
211.1390 Concentrated Nitric Acid Manufacturing Process

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

211.1410	Condensate	
211.1430	Condensible PM-10	
211.1465	Continuous Automatic Stoking	
211.1470	Continuous Process	
211.1490	Control Device	
211.1510	Control Device Efficiency	
211.1530	Conventional Soybean Crushing Source	
211.1550	Conveyorized Degreasing	
211.1570	Crude Oil	
211.1590	Crude Oil Gathering	
211.1610	Crushing	
211.1630	Custody Transfer	
211.1650	Cutback Asphalt	
211.1670	Daily-Weighted Average VOM Content	
211.1690	Day	
211.1710	Degreaser	
211.1730	Delivery Vessel	
211.1750	Dip Coating	
211.1770	Distillate Fuel Oil	
211.1780	Distillation Unit	
211.1790	Drum	
211.1810	Dry Cleaning Operation or Dry Cleaning Facility	
211.1830	Dump-Pit Area	
211.1850	Effective Grate Area	
211.1870	Effluent Water Separator	
211.1875	Elastomeric Materials	
211.1880	Electromagnetic Interference/Radio Frequency (EMI/RFI) Shielding	
211.1890	Electrostatic Bell or Disc Spray	
211.1900	Electrostatic Prep Coat	
211.1910	Electrostatic Spray	
211.1920	Emergency or Standby Unit	
211.1930	Emission Rate	
211.1950	Emission Unit	
211.1970	Enamel	
211.1990	Enclose	
211.2010	End Sealing Compound Coat	
211.2030	Enhanced Under-the-Cup Fill	
211.2050	Ethanol Blend Gasoline	
211.2070	Excess Air	
211.2090	Excessive Release	
211.2110	Existing Grain-Drying Operation (Repealed)	
211.2130	Existing Grain-Handling Operation (Repealed)	
211.2150	Exterior Base Coat	
211.2170	Exterior End Coat	
211.2190	External Floating Roof	
211.2210	Extreme Performance Coating	
211.2230	Fabric Coating	

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

211.2250	Fabric Coating Line	
211.2270	Federally Enforceable Limitations and Conditions	
211.2290	Fermentation Time	
211.2300	Fill	
211.2310	Final Repair Coat	
211.2330	Firebox	
211.2350	Fixed-Roof Tank	
211.2360	Flexible Coating	
211.2365	Flexible Operation Unit	
211.2370	Flexographic Printing	
211.2390	Flexographic Printing Line	
211.2410	Floating Roof	
211.2430	Fountain Solution	
211.2450	Freeboard Height	
211.2470	Fuel Combustion Emission Unit or Fuel Combustion Emission Source	
211.2490	Fugitive Particulate Matter	
211.2510	Full Operating Flowrate	
211.2530	Gas Service	
211.2550	Gas/Gas Method	
211.2570	Gasoline	
211.2590	Gasoline Dispensing Operation or Gasoline Dispensing Facility	
211.2610	Gel Coat	
211.2630	Gloss Reducers	
211.2650	Grain	
211.2670	Grain-Drying Operation	
211.2690	Grain-Handling and Conditioning Operation	
211.2710	Grain-Handling Operation	
211.2730	Green-Tire Spraying	
211.2750	Green Tires	
211.2770	Gross Heating Value	
211.2790	Gross Vehicle Weight Rating	
211.2810	Heated Airless Spray	
211.2830	Heatset	
211.2850	Heatset Web Offset Lithographic Printing Line	
211.2870	Heavy Liquid	
211.2890	Heavy Metals	
211.2910	Heavy Off-Highway Vehicle Products	
211.2930	Heavy Off-Highway Vehicle Products Coating	
211.2950	Heavy Off-Highway Vehicle Products Coating Line	
211.2970	High Temperature Aluminum Coating	
211.2990	High Volume Low Pressure (HVLP) Spray	
211.3010	Hood	
211.3030	Hot Well	
211.3050	Housekeeping Practices	
211.3070	Incinerator	
211.3090	Indirect Heat Transfer	
211.3110	Ink	
211.3130	In-Process Tank	

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

211.3150 In-Situ Sampling Systems
 211.3170 Interior Body Spray Coat
 211.3190 Internal-Floating Roof
 211.3210 Internal Transferring Area
 211.3230 Lacquers
 211.3250 Large Appliance
 211.3270 Large Appliance Coating
 211.3290 Large Appliance Coating Line
 211.3310 Light Liquid
 211.3330 Light-Duty Truck
 211.3350 Light Oil
 211.3370 Liquid/Gas Method
 211.3390 Liquid-Mounted Seal
 211.3410 Liquid Service
 211.3430 Liquids Dripping
 211.3450 Lithographic Printing Line
 211.3470 Load-Out Area
 211.3480 Loading Event
 211.3490 Low Solvent Coating
 211.3500 Lubricating Oil
 211.3510 Magnet Wire
 211.3530 Magnet Wire Coating
 211.3550 Magnet Wire Coating Line
 211.3570 Major Dump Pit
 211.3590 Major Metropolitan Area (MMA)
 211.3610 Major Population Area (MPA)
 211.3620 Manually Operated Equipment
 211.3630 Manufacturing Process
 211.3650 Marine Terminal
 211.3660 Marine Vessel
 211.3670 Material Recovery Section
 211.3690 Maximum Theoretical Emissions
 211.3695 Maximum True Vapor Pressure
 211.3710 Metal Furniture
 211.3730 Metal Furniture Coating
 211.3750 Metal Furniture Coating Line
 211.3770 Metallic Shoe-Type Seal
 211.3790 Miscellaneous Fabricated Product Manufacturing Process
 211.3810 Miscellaneous Formulation Manufacturing Process
 211.3830 Miscellaneous Metal Parts and Products
 211.3850 Miscellaneous Metal Parts and Products Coating
 211.3870 Miscellaneous Metal Parts or Products Coating Line
 211.3890 Miscellaneous Organic Chemical Manufacturing Process
 211.3910 Mixing Operation
 211.3915 Mobile Equipment
 211.3930 Monitor
 211.3950 Monomer
 211.3960 Motor Vehicles

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

211.3965 Motor Vehicle Refinishing
 211.3970 Multiple Package Coating
 211.3990 New Grain-Drying Operation (Repealed)
 211.4010 New Grain-Handling Operation (Repealed)
 211.4030 No Detectable Volatile Organic Material Emissions
 211.4050 Non-Contact Process Water Cooling Tower
 211.4055 Non-Flexible Coating
 211.4065 Non-Heatset
 211.4070 Offset
 211.4090 One Hundred Percent Acid
 211.4110 One-Turn Storage Space
 211.4130 Opacity
 211.4150 Opaque Stains
 211.4170 Open Top Vapor Degreasing
 211.4190 Open-Ended Valve
 211.4210 Operator of a Gasoline Dispensing Operation or Owner of a Gasoline Dispensing Facility
 211.4230 Organic Compound
 211.4250 Organic Material and Organic Materials
 211.4260 Organic Solvent
 211.4270 Organic Vapor
 211.4290 Oven
 211.4310 Overall Control
 211.4330 Overvarnish
 211.4350 Owner of a Gasoline Dispensing Operation or Owner of a Gasoline Dispensing Facility
 211.4370 Owner or Operator
 211.4390 Packaging Rotogravure Printing
 211.4410 Packaging Rotogravure Printing Line
 211.4430 Pail
 211.4450 Paint Manufacturing Source or Paint Manufacturing Plant
 211.4470 Paper Coating
 211.4490 Paper Coating Line
 211.4510 Particulate Matter
 211.4530 Parts Per Million (Volume) or PPM (Vol)
 211.4550 Person
 211.4590 Petroleum
 211.4610 Petroleum Liquid
 211.4630 Petroleum Refinery
 211.4650 Pharmaceutical
 211.4670 Pharmaceutical Coating Operation
 211.4690 Photochemically Reactive Material
 211.4710 Pigmented Coatings
 211.4730 Plant
 211.4740 Plastic Part
 211.4750 Plasticizers
 211.4770 PM-10
 211.4790 Pneumatic Rubber Tire Manufacture

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

211.4810 Polybasic Organic Acid Partial Oxidation Manufacturing Process
 211.4830 Polyester Resin Material(s)
 211.4850 Polyester Resin Products Manufacturing Process
 211.4870 Polystyrene Plant
 211.4890 Polystyrene Resin
 211.4910 Portable Grain-Handling Equipment
 211.4930 Portland Cement Manufacturing Process Emission Source
 211.4950 Portland Cement Process or Portland Cement Manufacturing Plant
 211.4970 Potential to Emit
 211.4990 Power Driven Fastener Coating
 211.5010 Precoat
 211.5030 Pressure Release
 211.5050 Pressure Tank
 211.5060 Pressure/Vacuum Relief Valve
 211.5061 Pretreatment Wash Primer
 211.5065 Primary Product
 211.5070 Prime Coat
 211.5080 Primer Sealer
 211.5090 Primer Surfacer Coat
 211.5110 Primer Surfacer Operation
 211.5130 Primers
 211.5150 Printing
 211.5170 Printing Line
 211.5185 Process Emission Source
 211.5190 Process Emission Unit
 211.5210 Process Unit
 211.5230 Process Unit Shutdown
 211.5245 Process Vent
 211.5250 Process Weight Rate
 211.5270 Production Equipment Exhaust System
 211.5310 Publication Rotogravure Printing Line
 211.5330 Purged Process Fluid
 211.5340 Rated Heat Input Capacity
 211.5350 Reactor
 211.5370 Reasonably Available Control Technology (RACT)
 211.5390 Reclamation System
 211.5410 Refiner
 211.5430 Refinery Fuel Gas
 211.5450 Refinery Fuel Gas System
 211.5470 Refinery Unit or Refinery Process Unit
 211.5480 Reflective Argon Coating
 211.5490 Refrigerated Condenser
 211.5500 Regulated Air Pollutant
 211.5510 Reid Vapor Pressure
 211.5530 Repair
 211.5550 Repair Coat
 211.5570 Repaired
 211.5590 Residual Fuel Oil

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

211.5600 Resist Coat
 211.5610 Restricted Area
 211.5630 Retail Outlet
 211.5650 Ringelmann Chart
 211.5670 Roadway
 211.5690 Roll Coater
 211.5710 Roll Coating
 211.5730 Roll Printer
 211.5750 Roll Printing
 211.5770 Rotogravure Printing
 211.5790 Rotogravure Printing Line
 211.5810 Safety Relief Valve
 211.5830 Sandblasting
 211.5850 Sanding Sealers
 211.5870 Screening
 211.5890 Sealer
 211.5910 Semi-Transparent Stains
 211.5930 Sensor
 211.5950 Set of Safety Relief Valves
 211.5970 Sheet Basecoat
 211.5980 Sheet-Fed
 211.5990 Shotblasting
 211.6010 Side-Seam Spray Coat
 211.6025 Single Unit Operation
 211.6030 Smoke
 211.6050 Smokeless Flare
 211.6060 Soft Coat
 211.6070 Solvent
 211.6090 Solvent Cleaning
 211.6110 Solvent Recovery System
 211.6130 Source
 211.6140 Specialty Coatings
 211.6145 Specialty Coatings for Motor Vehicles
 211.6150 Specialty High Gloss Catalyzed Coating
 211.6170 Specialty Leather
 211.6190 Specialty Soybean Crushing Source
 211.6210 Splash Loading
 211.6230 Stack
 211.6250 Stain Coating
 211.6270 Standard Conditions
 211.6290 Standard Cubic Foot (scf)
 211.6310 Start-Up
 211.6330 Stationary Emission Source
 211.6350 Stationary Emission Unit
 211.6355 Stationary Gas Turbine
 211.6360 Stationary Reciprocating Internal Combustion Engine
 211.6370 Stationary Source
 211.6390 Stationary Storage Tank

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

211.6400	Stencil Coat
211.6410	Storage Tank or Storage Vessel
211.6430	Styrene Devolatilizer Unit
211.6450	Styrene Recovery Unit
211.6470	Submerged Loading Pipe
211.6490	Substrate
211.6510	Sulfuric Acid Mist
211.6530	Surface Condenser
211.6540	Surface Preparation Materials
211.6550	Synthetic Organic Chemical or Polymer Manufacturing Plant
211.6570	Tablet Coating Operation
211.6580	Texture Coat
211.6590	Thirty-Day Rolling Average
211.6610	Three-Piece Can
211.6620	Three or Four Stage Coating System
211.6630	Through-the-Valve Fill
211.6650	Tooling Resin
211.6670	Topcoat
211.6690	Topcoat Operation
211.6695	Topcoat System
211.6710	Touch-Up
211.6720	Touch-Up Coating
211.6730	Transfer Efficiency
211.6750	Tread End Cementing
211.6770	True Vapor Pressure
211.6790	Turnaround
211.6810	Two-Piece Can
211.6830	Under-the-Cup Fill
211.6850	Undertread Cementing
211.6860	Uniform Finish Blender
211.6870	Unregulated Safety Relief Valve
211.6880	Vacuum Metallizing
211.6890	Vacuum Producing System
211.6910	Vacuum Service
211.6930	Valves Not Externally Regulated
211.6950	Vapor Balance System
211.6970	Vapor Collection System
211.6990	Vapor Control System
211.7010	Vapor-Mounted Primary Seal
211.7030	Vapor Recovery System
211.7050	Vapor Suppressed Polyester Resin
211.7070	Vinyl Coating
211.7090	Vinyl Coating Line
211.7110	Volatile Organic Liquid (VOL)
211.7130	Volatile Organic Material Content (VOMC)
211.7150	Volatile Organic Material (VOM) or Volatile Organic Compound (VOC)
211.7170	Volatile Petroleum Liquid
211.7190	Wash Coat

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

211.7210	Wastewater (Oil/Water) Separator
211.7230	Weak Nitric Acid Manufacturing Process
211.7250	Web
211.7270	Wholesale Purchase - Consumer
211.7290	Wood Furniture
211.7310	Wood Furniture Coating
211.7330	Wood Furniture Coating Line
211.7350	Woodworking
211.7400	Yeast Percentage

APPENDIX A Rule into Section Table
APPENDIX B Section into Rule Table

AUTHORITY: Implementing Sections 9, 9.1 and 10 and authorized by Sections 27 and 28.5 of the Environmental Protection Act [415 ILCS 5/9, 9.1, 10, 27 and 28.5].

SOURCE: Adopted as Chapter 2: Air Pollution, Rule 201: Definitions, R71-23, 4 PCB 191, filed and effective April 14, 1972; amended in R74-2 and R75-5, 32 PCB 295, at 3 Ill. Reg. 5, p. 777, effective February 3, 1979; amended in R78-3 and 4, 35 PCB 75 and 243, at 3 Ill. Reg. 30, p. 124, effective July 28, 1979; amended in R80-5, at 7 Ill. Reg. 1244, effective January 21, 1983; codified at 7 Ill. Reg. 13590; amended in R82-1 (Docket A) at 10 Ill. Reg. 12624, effective July 7, 1986; amended in R85-21(A) at 11 Ill. Reg. 11747, effective June 29, 1987; amended in R86-34 at 11 Ill. Reg. 12267, effective July 10, 1987; amended in R86-39 at 11 Ill. Reg. 20804, effective December 14, 1987; amended in R82-14 and R86-37 at 12 Ill. Reg. 787, effective December 24, 1987; amended in R86-18 at 12 Ill. Reg. 7284, effective April 8, 1988; amended in R86-10 at 12 Ill. Reg. 7621, effective April 11, 1988; amended in R88-23 at 13 Ill. Reg. 10862, effective June 27, 1989; amended in R89-8 at 13 Ill. Reg. 17457, effective January 1, 1990; amended in R89-16(A) at 14 Ill. Reg. 9141, effective May 23, 1990; amended in R88-30(B) at 15 Ill. Reg. 5223, effective March 28, 1991; amended in R88-14 at 15 Ill. Reg. 7901, effective May 14, 1991; amended in R91-10 at 15 Ill. Reg. 15564, effective October 11, 1991; amended in R91-6 at 15 Ill. Reg. 15673, effective October 14, 1991; amended in R91-22 at 16 Ill. Reg. 7656, effective May 1, 1992; amended in R91-24 at 16 Ill. Reg. 13526, effective August 24, 1992; amended in R93-9 at 17 Ill. Reg. 16504, effective September 27, 1993; amended in R93-11 at 17 Ill. Reg. 21471, effective December 7, 1993; amended in R93-14 at 18 Ill. Reg. 1253, effective January 18, 1994; amended in R94-12 at 18 Ill. Reg. 14962, effective September 21, 1994; amended in R94-14 at 18 Ill. Reg. 15744, effective October 17, 1994; amended in R94-15 at 18 Ill. Reg. 16379, effective October 25, 1994; amended in R94-16 at 18 Ill. Reg. 16929, effective November 15, 1994; amended in R94-21, R94-31 and R94-32 at 19 Ill. Reg. 6823, effective May 9, 1995; amended in R94-33 at 19 Ill. Reg. 7344, effective May 22, 1995; amended in R95-2 at 19 Ill. Reg. 11066, effective July 12, 1995; amended in R95-16 at 19 Ill. Reg. 15176, effective October 19, 1995; amended in R96-5 at 20 Ill. Reg. _____, effective _____.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

BOARD NOTE: This Part implements the Illinois Environmental Protection Act as of July 1, 1994.

NOTE: In this Part, superscript numbers or letters are denoted by parentheses; subscript are denoted by brackets.

SUBPART A: GENERAL PROVISIONS

Section 211.101 Incorporations by Reference

The following materials are incorporated by reference. These incorporations do not include any later amendments or editions.

- a) "Evaporation Loss from Floating Roof Tanks," American Petroleum Institute Bulletin 2517, 1962
- b) ~~Ringelman-Chart-Information--Circular--833--(Revision--of--197107)~~
~~Bureau-of-Mines--U.S.-Department-of-Interior--May--1967~~
- b)c) Standard Industrial Classification Manual, Superintendent of Documents, Washington, D.C. 20402, 1972
- c)d) American Society for Testing and Materials, 1916 Race Street, Philadelphia, PA 19103

A.S.T.M. D-86
A.S.T.M. D-240-64
A.S.T.M. D-323
A.S.T.M. D-369-69 (1971)
A.S.T.M. D-396-69
A.S.T.M. D-900-55
A.S.T.M. D-975-68
A.S.T.M. D-1826-64
A.S.T.M. D-2015-66
A.S.T.M. D-2880-71
d) 40 CFR 51.100 (1987)

(Source: Amended at 20 Ill. Reg. _____, effective _____)

SUBPART B: DEFINITIONS

Section 211.484 Animal

"Animal" means any organism other than a human being of the kingdom Animal, distinguished from plants by certain typical characteristics such as the power of locomotion, fixed structure and limited growth, and non-photosynthetic metabolism.

(Source: Added at 20 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Section 211.485 Animal Pathological Waste

"Animal pathological waste" means waste composed of whole or parts of animal carcasses and also noncarcass materials such as plastic, paper wrapping and animal collars. Noncarcass materials shall not exceed ten percent by weight of the total weight of the carcass and noncarcass materials combined.

(Source: Added at 20 Ill. Reg. _____, effective _____)

Section 211.1465 Continuous Automatic Stoking

"Continuous automatic stoking" means the automatic moving of animal pathological waste during burning, by moving the hearth in a pulse cycle manner, which process is designed to provide a continuous burning rate in which the design charging rate per hour equals the burning rate every hour without limitation, and results in emission rates which are similar over any hour of the burning process.

(Source: Added at 20 Ill. Reg. _____, effective _____)

Section 211.2110 Existing Grain-Drying Operation (Repealed)

"Existing--grain-drying--operation" means--any--grain-drying--operation--the construction--or--modification--of--which--was--commenced--prior--to--June--30--1975.

(Source: Repealed at 20 Ill. Reg. _____, effective _____)

Section 211.2130 Existing Grain-Handling Operation (Repealed)

"Existing--grain--handling--operation" means--any--grain--handling--operation--the construction--or--modification--of--which--was--commenced--prior--to--June--30--1975.

(Source: Repealed at 20 Ill. Reg. _____, effective _____)

Section 211.3990 New Grain-Drying Operation (Repealed)

"New--grain--drying--operation" means--any--grain--drying--operation--the--construction or--modification--of--which--commenced--on--or--after--June--30--1975.

(Source: Repealed at 20 Ill. Reg. _____, effective _____)

Section 211.4010 New Grain-Handling Operation (Repealed)

POLLUTION CONTROL BOARD
NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Visible and Particulate Matter Emissions
2) Code Citation: 35 Ill. Adm. Code 212
3) Section Numbers: Proposed Action:

212.100 Amended
212.107 Amended
212.108 Amended
212.109 Amended
212.110 Amended
212.111 Amended
212.113 Amended
212.121 Repealed
212.122 Amended
212.123 Amended
212.124 Amended
212.125 Amended
212.126 Amended
212.181 Amended
212.182 Amended
212.183 Amended
212.184 Amended
212.185 Amended
212.201 Amended
212.202 Amended
212.203 Amended
212.204 Amended
212.205 Amended
212.206 Amended
212.207 Amended
212.208 Amended
212.209 Repealed
212.210 Amended
212.301 Amended
212.302 Amended
212.304 Amended
212.305 Amended
212.306 Amended
212.309 Amended
212.310 Amended
212.313 Amended
212.314 Amended
212.315 Repealed
212.316 Amended
212.321 Amended
212.322 Amended
212.323 Amended

POLLUTION CONTROL BOARD
NOTICE OF PROPOSED AMENDMENTS

"New--grain-handling--operation"--means--any--grain-handling--operation--the construction or modification of which commenced on or after June 30, 1975:

(Source: Repealed at 20 Ill. Reg. _____, effective _____)

Section 211.4130 Opacity

"Opacity" means at Part 212.187-a condition which renders material partially or wholly impervious to transmittance of light and causes obstruction of an observer's view--for the purposes of these regulations, the following equivalence between opacity and Ringelmann shall be employed:

Opacity-Percent	Ringelmann
10	0-5
20	1-
30	1-5
40	2-
60	3-
80	4-
100	5-

b) That fraction of light, expressed in percent, which when transmitted from a source through a smoke-obscured path, is prevented from reaching the observer or instrument receiver.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

212.324 Amended
 212.361 Amended
 212.362 Amended
 212.381 Amended
 212.421 Amended
 212.422 Amended
 212.423 Amended
 212.424 Amended
 212.425 Amended
 212.441 Amended
 212.443 Amended
 212.444 Amended
 212.445 Amended
 212.446 Amended
 212.448 Amended
 212.449 Amended
 212.452 Amended
 212.455 Amended
 212.456 Amended
 212.457 Amended
 212.458 Amended
 212.461 Amended
 212.462 Amended
 212.463 Amended
 212.464 Amended
 212.681 Amended
 212.Illustration A Repealed
 212.Illustration B Repealed
 212.Illustration C Repealed

4) Statutory Authority: 415 ILCS 5/27 and 28.5

5) A Complete Description of the Subjects and Issues Involved: This proposal is part of a rulemaking that addresses USEPA's conditional approval of Illinois' PM-10 State Implementation Plan ("SIP"). USEPA designated Lake Calumet and McCook areas in Cook County and Granite City in Madison County as moderate nonattainment areas for PM-10. As a result, Illinois developed the State Implementation Plan for PM-10. The USEPA conditionally approved the SIP on November 18, 1994 (59 F.R. 59653). The USEPA cited four issues which needed to be addressed in rulemaking prior to full SIP approval noting that failure to do so could subject Illinois to monetary and other sanctions. The amendments to this Part along with amendments proposed today in Part 211 will address USEPA concerns. A more complete description may be found in the Board's opinion and order of November 16, 1995 in this docket R96-5. The proposed revisions to 35 Ill. Adm. Code 212 also update existing language consistent with Illinois' Clean Air Act Permit Program, and a general clean-up of the rules.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 6) Will this proposed rule replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed rule (amendment, repealer) contain incorporations by reference? Yes
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Policy Objectives: These proposed rules and amendments are required by the 1990 amendments to the Clean Air Act and do not create or enlarge a state mandate as defined in Section 3(b) of the State Mandate Act [30 ILCS 805/3(b)].
- 11) Time, Place, and Manner in which interested person may comment on this proposed rulemaking: Written comments concerning this rulemaking should reference R96-5 and be sent to:

Dorothy Gunn
 Clerk of the Pollution Control Board
 100 West Randolph Street, Suite 11-500
 Chicago, Illinois 60601
 312/814-6931

and

Rachel L. Doctors
 Assistant Counsel
 Illinois Environmental Protection Agency
 Bureau of Air
 P.O. Box 19276
 Springfield, IL 62794-9276
 217/524-3333

Questions regarding these proposed amendments may be addressed to: Marie E. Tiptord, Attorney Assistant, Illinois Pollution Control Board, 100 West Randolph Street, Suite 11-500, Chicago, Illinois 60601, 312/814-4925.

12) Initial Regulatory Flexibility Analysis:

This proposal addresses USEPA's conditional approval of Illinois' PM-10 SIP and generally updates the format and language contained in 35 Ill. Adm. Part 212.

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: November 20, 1995
- B) Types of small businesses affected: Any small business which emits

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE B: AIR POLLUTION
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER C: EMISSION STANDARDS AND LIMITATIONS
FOR STATIONARY SOURCES

	PART 212
	VISIBLE AND PARTICULATE MATTER EMISSIONS
	SUBPART A: GENERAL
Section	Scope and Organization
212.100	Measurement Method for Visible Emissions
212.107	Measurement Methods for PM-10 Emissions and Condensable PM-10 Emissions
212.108	Measurement Methods for Opacity
212.109	Measurement Methods For Particulate Matter
212.110	Abbreviations and Units
212.111	Definitions
212.112	Incorporations by Reference
212.113	

	SUBPART B: VISIBLE EMISSIONS
Section	Opacity Standards (Repealed)
212.121	Visible Emissions Limitations for Certain Emission Units For Which Construction or Modification Commenced On or After April 14, 1972 New Sources
212.122	Visible Emissions Limitations for All Other Emission Units Sources
212.123	Exceptions
212.124	Determination of Violations
212.125	Adjusted Opacity Standards Procedures
212.126	

	SUBPART D: PARTICULATE MATTER EMISSIONS FROM INCINERATORS
Section	Limitations for Incinerators
212.181	Aqueous Waste Incinerators
212.182	Certain Wood Waste Incinerators
212.183	Explosive Waste Incinerators
212.184	Continuous Automatic Stoking Animal Pathological Waste Incinerators
212.185	

	SUBPART E: PARTICULATE MATTER EMISSIONS FROM FUEL COMBUSTION EMISSION UNITS SOURCES
Section	Emission Units For Which Construction or Modification Commenced Prior
212.201	

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

PM-10 located in Lake Calumet or McCook areas in Cook County or Granite City in Madison County which are moderate nonattainment areas for PM-10.

C) Reporting, bookkeeping or other procedures required for compliance: None

D) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: July 1995

The full text of the Proposed Amendments begins on the next page:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

212.324 Process Emission Units Sources in Certain Areas

SUBPART N: FOOD MANUFACTURING

Section

212.361 Corn Wet Milling Processes

212.362 Emission Units Sources in Certain Areas

SUBPART O: PETROLEUM REFINING, PETROCHEMICAL
AND CHEMICAL MANUFACTURING

Section

212.381 Catalyst Regenerators of Fluidized Catalytic Converters

SUBPART Q: STONE, CLAY, GLASS
AND CONCRETE MANUFACTURING

Section

212.421 New Portland Cement Processes For Which Construction or Modification
Commenced On or After April 14, 1972

212.422 Portland Cement Manufacturing Processes

212.423 Emission Limits for the Portland Cement Manufacturing Plant Located
in LaSalle County, South of the Illinois River212.424 Fugitive Particulate Matter Control for the Portland Cement
Manufacturing Plant and Associated Quarry Operations Located in
LaSalle County, South of the Illinois River

212.425 Emission Units Sources in Certain Areas

SUBPART R: PRIMARY AND FABRICATED METAL
PRODUCTS AND MACHINERY MANUFACTURE

Section

212.441 Steel Manufacturing Processes

212.442 Beehive Coke Ovens

212.443 Coke Plants

212.444 Sinter Processes

212.445 Blast Furnace Cast Houses

212.446 Basic Oxygen Furnaces

212.447 Hot Metal Desulfurization Not Located in the BOF

212.448 Electric Arc Furnaces

212.449 Argon-Oxygen Decarburization Vessels

212.450 Liquid Steel Charging

212.451 Hot Scarfing Machines

212.452 Measurement Methods

212.455 Highlines on Steel Mills

212.456 Certain Small Foundries

212.457 Certain Small Iron-Melting Iron-Melting Air Furnaces

212.458 Emission Units Sources in Certain Areas

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

212.202 to April 14, 1972, Existing-Sources Using Solid Fuel Exclusively
Located in the Chicago Area212.203 Emission Units For Which Construction or Modification Commenced Prior
to April 14, 1972, Existing--Sources Using Solid Fuel Exclusively
Located Outside the Chicago Area212.204 Existing Controlled Emission Units For Which Construction or
Modification Commenced Prior to April 14, 1972, Sources Using Solid
Fuel Exclusively212.205 Emission Units For Which Construction or Modification Commenced On or
After April 14, 1972, New-Sources Using Solid Fuel Exclusively212.206 Existing Coal-fired Industrial Boilers For Which Construction or
Modification Commenced Prior to April 14, 1972, Equipped with Flue
Gas Desulfurization Systems212.207 Emission Units Sources Using Liquid Fuel Exclusively
Emission Units Sources Using More Than One Type of Fuel212.208 Aggregation of Emission Units For Which Construction or Modification
Commenced Prior to April 14, 1972 Existing-Sources

212.209 Village of Winnetka Generating Station (Repealed)

212.210 Emissions Limitations for Certain Fuel Combustion Emission Units
Sources Located in the Vicinity of Granite City

SUBPART K: FUGITIVE PARTICULATE MATTER

Section

212.301 Fugitive Particulate Matter

212.302 Geographical Areas of Application

212.303 Storage Piles

212.304 Conveyor Loading Operations

212.305 Traffic Areas

212.307 Materials Collected by Pollution Control Equipment

212.308 Spraying or Choke-Feeding Required

212.309 Operating Program

212.310 Minimum Operating Program

212.312 Amendment to Operating Program

212.313 Emission Standard for Particulate Collection Equipment

212.314 Exception for Excess Wind Speed

212.315 Covering for Vehicles (Repealed)

212.316 Emissions Limitations for Emission Units Sources in Certain Areas

SUBPART L: PARTICULATE MATTER EMISSIONS
FROM PROCESS EMISSION UNITS SOURCES

Section

212.321 New Process Emission Units For Which Construction or Modification
Commenced On or After April 14, 1972 Sources212.322 Existing Process Emission Units For Which Construction or
Modification Commenced Prior to April 14, 1972 Sources

212.323 Stock Piles

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

SUBPART S: AGRICULTURE

- Section
 212.461 Grain-Handling and Drying in General
 212.462 Grain-Handling Operations
 212.463 Grain Drying Operations
 212.464 Sources in Certain Areas

SUBPART T: CONSTRUCTION AND WOOD PRODUCTS

- Section
 212.681 Grinding, Woodworking, Sandblasting and Shotblasting

SUBPART U: ADDITIONAL CONTROL MEASURES

- Section
 212.700 Applicability
 212.701 Contingency Measure Plans, Submittal and Compliance Date
 212.702 Determination of Contributing Sources
 212.703 Contingency Measure Plan Elements
 212.704 Implementation
 212.705 Alternative Implementation

- APPENDIX A Rule into Section Table
 APPENDIX B Section into Rule Table
 APPENDIX C Past Compliance Dates
 ILLUSTRATION A Allowable Emissions from Solid Fuel Combustion Emission Sources Outside Chicago (Repealed)
 ILLUSTRATION B Limitations for all New Process Emission Sources (Repealed)
 ILLUSTRATION C Limitations for all Existing Process Emission Sources (Repealed)
 ILLUSTRATION D McCook Vicinity Map
 ILLUSTRATION E Lake Calumet Vicinity Map
 ILLUSTRATION F Granite City Vicinity Map

AUTHORITY: Implementing Section 10 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/10, 27 and 28.5].

SOURCE: Adopted as Chapter 2: Air Pollution, Rules 202 and 203: Visual and Particulate Emission Standards and Limitations, R71-23, 4 PCB 191, filed and effective April 14, 1972; amended in R77-15, 32 PCB 403, at 3 Ill. Reg. 5, p. 798, effective February 3, 1979; amended in R78-10, 35 PCB 347, at 3 Ill. Reg. 39, p. 184, effective September 28, 1979; amended in R78-11, 35 PCB 505, at 3 Ill. Reg. 45, p. 100, effective October 26, 1979; amended in R78-9, 38 PCB 411, at 4 Ill. Reg. 24, p. 514, effective June 4, 1980; amended in R79-11, 43 PCB 481, at 5 Ill. Reg. 11590, effective October 19, 1981; codified at 7 Ill. Reg. 13591; amended in R82-1 (Docket A) at 10 Ill. Reg. 12637, effective

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

July 9, 1986; amended in R85-33 at 10 Ill. Reg. 18030, effective October 7, 1986; amended in R84-48 at 11 Ill. Reg. 691, effective December 18, 1986; amended in R84-42 at 11 Ill. Reg. 1410, effective December 30, 1986; amended in R82-1 (Docket B) at 12 Ill. Reg. 12492, effective July 13, 1988; amended in R91-6 at 15 Ill. Reg. 15708, effective October 4, 1991; amended in R89-7(B) at 15 Ill. Reg. 17710, effective November 26, 1991; amended in R91-22 at 16 Ill. Reg. 7880, effective May 11, 1992; amended in R91-35 at 16 Ill. Reg. 8204, effective May 15, 1992; amended in R93-30 at 18 Ill. Reg. 11587, effective July 11, 1994; amended in R96-5 at 20 Ill. Reg. _____, effective _____.

NOTE: In this Part, superscript numbers or letters are denoted by parentheses; subscript are denoted by brackets.

BOARD NOTE: This Part implements the Illinois Environmental Protection Act as of July 1, 1994.

SUBPART A: GENERAL

Section 212.100 Scope and Organization

- a) This Part contains standards and limitations for visible ~~visual~~ and particulate matter emissions from stationary emission units sources.
 b) Permits for sources subject to this Part may be required pursuant to 35 Ill. Adm. Code 201.
 c) Notwithstanding the provisions of this Part, the air quality standards contained in 35 Ill. Adm. Code 243 may not be violated.
 d) This Part includes Subparts which are arranged as follows:
 1) Subpart A: General Provisions;
 2) Subpart B: Visible ~~Visual~~ Emissions;
 3) Subparts C-J: Incinerators and Fuel Combustion Emission Units Sources;
 4) Subparts K-M: Fugitive and Process Emission Units Sources;
 5) Subparts N-Tend: Site specific and industry specific rules; and;
 6) Subpart U: Additional control measures.
 e) Rules have been grouped for the convenience of the public; the scope of each is determined by its language and history.

(Source: Amended at 20 Ill. Reg. _____, effective _____.)

Section 212.107 Measurement Method for Visible Emissions

For both fugitive and nonfugitive particulate matter emissions, a determination as to the presence or absence ~~Detection~~ of visible emissions from both--~~process~~ sources--and-fugitive-particulate-matter-emission-sources shall be conducted in accordance with Method 22, 40 CFR part 60, Appendix A,

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

incorporated by reference in Section 212.113 of this Subpart, except that the length of the observing period shall be at the discretion of the observer, but not less than one minute. This Subpart shall not apply to Section 212.301 of this Part.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.108 Measurement Methods for PM-10 Emissions and Condensible PM-10 Emissions

a) Emissions of PM-10 shall be measured by any of the following methods at the option of the owner or operator of an unit emissions-source.

- 1) Method 201, 40 CFR part 51, Appendix M, incorporated by reference in Section 212.113 of this Subpart.
- 2) Method 201A, 40 CFR part 51, Appendix M, incorporated by reference in Section 212.113 of this Subpart.
- 3) Method 5, 40 CFR part 60, Appendix A, incorporated by reference in Section 212.113 of this Subpart, provided that all particulate matter measured by Method 5 shall be considered to be PM-10.

b) Emissions of condensible PM-10 shall be measured by Method 202, 40 CFR part 51, Appendix M, incorporated by reference in Section 212.113 of this Subpart.

cb) The volumetric flow rate and gas velocity for stack test methods shall be determined in accordance with Methods 1, 1A, 2, 2A, 2C, 2D, 3, or 4, 40 CFR part 60, Appendix A, incorporated by reference in Section 212.113 of this Subpart.

de) Upon a written notification by the Illinois Environmental Protection Agency (Agency), the owner or operator of a PM-10 emission unit source subject to this Section shall conduct the applicable testing for PM-10 emissions, condensible PM-10 emissions, opacity, or visible emissions at such person's own expense, to demonstrate compliance. Such test results shall be submitted to the Agency within thirty (30) days after conducting the test unless an alternative time for submittal is agreed to by the Agency.

ed) A person planning to conduct testing for PM-10 or condensible PM-10 emissions to demonstrate compliance shall give written notice to the Agency of that intent. Such notification shall be given at least thirty (30) days prior to initiation of the test unless a shorter pre-notification is agreed to by the Agency. Such notification shall state the specific test methods from subsection (a) of this Section that will be used.

fe) The owner or operator of an emission unit source subject to this Section shall retain records of all tests which are performed. These records shall be retained for at least three (3) years after the date a test is performed.

gf) This Section shall not affect the authority of the United States Environmental Protection Agency (USEPA) under Section 114 of the Clean

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Air Act (CAA) (42 U.S.C. Section 7414 (1990)).

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.109 Measurement Methods for Opacity

Except as otherwise provided in this Part, and except for the methods of data reduction when applied to Sections 212.122 and 212.123 of this Part, measurements of opacity shall be conducted in accordance with Method 9, 40 CFR part 60, Appendix A, and the procedures in 40 CFR 60.675(c) and (d), if applicable, incorporated by reference in Section 212.113 of this Subpart, except that for roadways and parking areas the number of readings required for each vehicle pass will be three taken at 5-second intervals. The first reading shall be at the point of maximum opacity and second and third readings shall be made at the same point, the observer standing at right angles to the plume at least 15 feet away from the plume and observing 4 feet above the surface of the roadway or parking area. After four vehicles have passed, the 12 readings will be averaged.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.110 Measurement Methods For Particulate Matter

a) Particulate-matter-measurement Measurement of particulate particulate matter emissions from stationary emission units sources subject to this Part shall be conducted in accordance with 40 CFR part 60, Appendix A, Methods 5, 5A, 5D, or 5E, as incorporated by reference in Section 212.113 of this Subpart.

b) Flow-Rate-and-Gas-Velocity-Measurement The volumetric flow rate and gas velocity shall be determined in accordance with 40 CFR part 60, Appendix A, Methods 1, 1A, 2, 2A, 2C, 2D, 3, and 4, incorporated by reference in Section 212.113 of this Subpart.

c) Opacity-Measurement Measurement of opacity shall be conducted in accordance with 40 CFR part 60, Appendix A, Method 9 and 40 CFR 60.675(c) and 40 CFR 60.675(d), incorporated by reference in Section 212.113.

d) Visible-Emissions-Measurement A determination as to the presence or absence of visible emissions from all process emission sources and fugitive particulate emission sources, except with respect to Section 212.301, shall be conducted in accordance with 40 CFR 60, Appendix A, Method 22, incorporated by reference in Section 212.113, except that the length of the observing period shall be at the discretion of the observer but not less than one minute.

e) Test-Methods-for-PM-10-Emissions Emissions of PM-10 shall be measured by any of the following methods at the option of the owner or operator of an emissions source.

1) 40 CFR 51, Appendix M, Method 202, incorporated by reference in

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Section 212.113-

- 2) 40-CPR-517-Appendix-M7-Method-201A7-incorporated-by-reference-in Section-212.113-
- 3) 40-CPR-607-Appendix-A7-Method-57-incorporated-by-reference-in Section-212.1137-provided-that-all-Particulate-Matter-measured-by Method-5-shall-be-considered-to-be-PM-10-
- f) Test-Methods-for-Condensable-PM-10-Emissions-Emissions-of-condensable PM-10-shall-be-measured-by-55-PR-41546-Method-202-incorporated-by-reference-in-Section-212.1137-

g) Upon a written notification by the Agency, the owner or operator of a particulate matter PM-10 emission unit source subject to this Part shall conduct the applicable testing for particulate matter PM-10 emissions, condensable-PM-10-emissions, opacity, or visible emissions at such person's own expense, to demonstrate compliance. Such test results shall be submitted to the Agency within thirty (30) days of conducting the test unless an alternative time for submittal is agreed to by the Agency.

dh) A person planning to conduct testing for particulate matter PM-10-or-condensable-PM-10 emissions to demonstrate compliance shall give written notice to the Agency of that intent. Such notification shall be given at least thirty (30) days prior to the initiation of the test unless a shorter period is agreed to by the Agency. Such notification shall state the specific test methods from this Section that will be used.

ei) The owner or operator of an emission unit source subject to this Part shall retain records of all tests which are performed. These records shall be retained for at least three (3) years after the date a test is performed.

fj) This Section shall not affect the authority of the USEPA or the Environmental Protection Agency under Section 114 of the Clean Air Act-(42-U.S.C.A. par-7401-et-seq--(1990)).

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.111 Abbreviations and Units

a) The following abbreviations are used in this Part:

btu	British thermal units (60 1/4 F)
dscf	dry standard cubic foot
ft	foot
ft(2)	square feet
fpm	feet per minute
gal	gallon
gr	grains
gr/scf	grains per standard cubic foot
gr/dscf	grains per dry standard cubic foot

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

hr	hour
J	Joule
kg	kilogram
kg/MW-hr	kilograms per megawatt-hour
km	kilometer
l	liter
lbs	pounds
lbs/hr	pounds per hour
lbs/mmbtu	pounds per million btu
m	meter
m(2)	square meters
mph	miles per hour
mg	milligram
mg/scm	milligrams per standard cubic meter
mg/dscm	milligrams per dry standard cubic meter
mg/l	milligrams per liter
Mg	megagram, metric tone or tonne
mi	mile
mmbtu	million British thermal units
mmbtu/hr	million British thermal units per hour
MW	megawatt; one million watts
MW-hr	megawatt-hour
ng	nanogram; one billionth of a gram
ng/J	nanograms per Joule
scf	standard cubic foot
scfm	standard cubic feet per minute
scm	standard cubic meter
T	short English ton (2000 lbs)
yd(2)	square yards

b) The following conversion factors have been used in this Part:

English	Metric
2,205 lb	1 kg
1 T	0.907 Mg
1 lb/T	0.500 kg/Mg
mmbtu/hr	0.293 MW
1 lb/mmbtu	1.548 kg/MW-hr or 430 ng/J
1 mi	1.61 km
1 gr	64.81 mg
1 gr/scf	289 mg/scm
1 ft(2)	0.0929 m(2)
1 ft foot	square-meter
1 gal	0.3048 m
	3.785 l

(Source: Amended at 20 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Section 212.113 Incorporations by Reference

The following materials are incorporated by reference. These incorporations do not include any later amendments or editions.

a) ~~Ringelmann-Chart--information-circular--033--(Revision--of-----10771077
Bureau-of-Mines--U-S-Department-of-Interior--May-17--1967~~

ab) 40 CFR part 60, Appendix A (1991):

- 1) Method 1: Sample and Velocity Traverses for Stationary Sources;
- 2) Method 1A: Sample and Velocity Traverses for Stationary Source with Small Stacks or Ducts;

- 3) Method 2: Determination of Stack Gas Velocity and Volumetric Flow Rate (Type S pitot tube);

- 4) Method 2A: Direct Measurement of Gas Volume Through Pipes and Small Ducts;

- 5) Method 2C: Determination of Stack Gas Velocity and Volumetric Flow Rate in Small Stacks or Ducts (Standard Pitot Tube);

- 6) Method 2D: Measurement of Gas Volumetric Flow Rates in Small Pipes and Ducts;

- 7) Method 3: Gas Analysis for Carbon Dioxide, Oxygen, Excess Air, and Dry Molecular Weight;

- 8) Method 4: Determination of Moisture Content in Stack Gases;

- 9) Method 5: Determination of Particulate Emissions From Stationary Sources;

- 10) Method 5A: Determination of Particulate Emissions From the Asphalt Processing and Asphalt Roofing Industry;

- 11) Method 5D: Determination of Particulate Matter Emissions From Positive Pressure Fabric Filters;

- 12) Method 5E: Determination of Particulate Emissions From the Wool Fiberglass Insulation Manufacturing Industry;

- 13) Method 9: Visual Determination of the Opacity of Emissions from Stationary Sources;

- 14) Method 22: Visual Determination of Fugitive Emissions from Material Sources and Smoke Emissions from Flares.

be) 40 CFR part 51 Appendix M (1990):

- 1) Method 201: Determination of PM-10 Emissions;

- 2) Method 201A: Determination of PM-10 Emissions (Constant Sampling Rate Procedure);

- 3) Method 202: Determination of Condensible Particulate Emissions from Stationary Sources.

cd) 40 CFR 60.672(b), (c), (d) and (e) (1991).

de) 40 CFR 60.675(c) and (d) (1991).

ef) ASAE Standard 248.2, Section 9, Basis for Stating Drying Capacity of Batch and Continuous-Flow Grain Dryers, American Society of Agricultural Engineers, 2950 Niles Road, St. Joseph, MI 49085.

fg) U.S. Sieve Series, ASTM-E11, American Society of Testing Materials, 1916 Race Street, Philadelphia, PA 19103.

h) 55-Fed. Regr--41546--(October-127-1999)--Method--002--Determination--of Condensible-Particulate-Emission--from-Stationary-Sources-

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

g) Standard Methods for the Examination of Water and Wastewater, Section 209C, "Total Filtrable Residue Dried at 103-105° C," 15th Edition, 1980, American Public Health Association, 1015 Fifteenth Street, N.W., Washington, D.C. 20005.

h) "Guideline on the Identification and Use of Air Quality Data Affected by Exceptional Events," U.S. Environmental Protection Agency, Office of Air and Radiation, Office of Air Quality Planning and Standards, Monitoring and Data Analysis Division, Research Triangle Park, N.C. 27711, EPA-450/4-86-007 July 1986.

i) "Guideline on Air Quality Models (Revised)," U.S. Environmental Protection Agency, Office of Air Quality Planning and Standards, Research Triangle Park, N.C. 27711, EPA-450/2-78-027R July 1986.

j) 40 CFR 50, Appendix K (1994 1992), "Interpretation of the National Ambient Air Quality Standard for Particulate Matter".

(Source: Amended at 20 Ill. Reg. _____, effective _____)

SUBPART B: VISUAL EMISSIONS

Section 212.121 Opacity Standards (Repealed)

For-the-purposes-of-this-Subpart--all-visible-emission-opacity---standards--and limitations--shall--be-considered-equivalent-to--corresponding-Ringelmann-Chart readings--as-described-under--the-definition-of-opacity--(05--iii--Adm--Code 211-1327)

(Source: Repealed at 20 Ill. Reg. _____, effective _____)

Section 212.122 Visible Emissions Limitations for Certain Emission Units For Which Construction or Modification Commenced On or After April 14, 1972 New Sources

a) New-Fuel-Combustion-Emission-Sources-with-Actual-Heat---Input---Greater than--350---mmbtu/hr. No person shall cause or allow the emission of smoke or other particulate matter into the atmosphere from any new fuel combustion emission unit for which construction or modification commenced on or after April 14, 1972, source with actual heat input greater than 73.2 MW (250 mmbtu/hr), having an opacity greater than 20 percent.

b) Exception: The emissions of smoke or other particulate matter from any such emission unit source may have an opacity greater than 20 percent but not greater than 40 percent for a period or periods aggregating 3 minutes in any 60 minute period, providing that such more opaque emission permitted during any 60 minute period shall occur from only one such emission unit source located within a 305 m (1000 ft) radius from the center point of any other such emission

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

unit source owned or operated by such person and provided further that such more opaque emissions permitted from each such fuel combustion emission unit source shall be limited to 3 times in any 24 hour period.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.123 Visible Emissions Limitations for All Other Emission Units Sources

- a) No person shall cause or allow the emission of smoke or other particulate matter, with an opacity greater than 30 percent, into the atmosphere from any emission unit source other than those emission units sources subject to Section 212.122 of this Subpart.
- b) ~~Exception:~~ The emission of smoke or other particulate matter from any such emission unit source may have an opacity greater than 30 percent but not greater than 60 percent for a period or periods aggregating 8 minutes in any 60 minute period provided that such more opaque emissions permitted during any 60 minute period shall occur from only one such emission unit source located within a 305 m (1000 ft) radius from the center point of any other such emission source owned or operated by such person, and provided further that such more opaque emissions permitted from each such emission unit source shall be limited to 3 times in any 24 hour period.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.124 Exceptions

- a) ~~Startup, Malfunction and Breakdown:~~ Sections 212.122 and 212.123 of this Subpart shall apply during times of startup, malfunction and breakdown except as provided in the operating permit granted in accordance with 35 Ill. Code 201.
- b) ~~Emissions of water and water vapor:~~ Sections 212.122 and 212.123 of this Subpart shall not apply to emissions of water or water vapor from an emission unit source.
- c) ~~Adjusted standards:~~ An emission unit source which has obtained an adjusted opacity standard pursuant to Section 212.126 of this Subpart shall be subject to that standard rather than the limitations of Section 212.122 or 212.123 of this Subpart.
- d) Compliance with the particulate regulations of this Part shall constitute a defense.

- 1) For all emission units sources which are not subject to Chapters 111 or 112 of the CAA ~~Clean Air Act~~ 42-U.S.C.A. 7401-~~et seq.~~ and Sections 212.201, 212.202, 212.203 or 212.204 of this Part but which are subject to Sections 212.122 or 212.123 of this

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Subpart: the the opacity limitations of Sections 212.122 and 212.123 of this Subpart shall not apply if it is shown that the emission unit source was, at the time of such emission, in compliance with the applicable particulate emissions limitations of Subparts D- through T of this Part.

- 2) For all emission units sources which are not subject to Chapters 111 or 112 of the CAA ~~Clean Air Act~~ but which are subject to Sections 212.201, 212.202, 212.203 or 212.204 of this Part ~~and either Section 212.122 or 212.123:~~

- A) An exceedance of the limitations of Section 212.122 or 212.123 of this Subpart shall constitute a violation of the applicable particulate limitations of Subparts D- through T of this Part. It shall be a defense to a violation of the applicable particulate limitations if, during a subsequent performance test conducted within a reasonable time not to exceed 60 days, under the same operating conditions for the unit source and the control device(s), and in accordance with Method 5, 40 CFR part 60, incorporated by reference in Section 212.113 of this Part, the owner or operator shows that the emission unit source is in compliance with the particulate emission limitations.

- B) It shall be a defense to an exceedance of the opacity limit if, during a subsequent performance test conducted within a reasonable time not to exceed 60 days, under the same operating conditions of the emission unit source and the control device(s), and in accordance with Method 5, 40 CFR part 60, Appendix A, incorporated by reference in Section 212.113 of this Part, the owner or operator shows that the emission unit source is in compliance with the allowable particulate emissions limitation while, simultaneously, having visible emissions equal to or greater than the opacity exceedance as originally observed.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.125 Determination of Violations

Violations of Sections 212.122 and 212.123 of this Subpart shall be determined:

- a) By visual observations conducted in accordance with Section 212.109 of this Part; or
- b) By the use of a calibrated smoke evaluation device approved by the Agency as specified in Subpart J of 35 Ill. Adm. Code 201; or
- c) By the use of a smoke monitor located in the stack and approved by the Agency as specified in Subpart J of 35 Ill. Adm. Code 201.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Section 212.126 Adjusted Opacity Standards Procedures

a) Pursuant to Section 28.1 of the Environmental Protection Act (Act) [415 ILCS 5/28.1] ~~(((111-Rev-Stat-1997-ch-111-1/2-pars-1028-17, and in accordance with 35 Ill. Adm. Code 106.7, Subpart E, provisions for adjusted visible-emissions standards for visible emissions for emission units sources subject to Sections 212.201, 212.202, 212.203, or 212.204 of this Part and either Section 212.122 or 212.123 shall be granted by the Board to the extent consistent with federal law based upon a demonstration by such owner or operator a--source that the results of a performance test conducted pursuant to this Section, Section 212.110 of this Part, and Methods 5 and 9 of 40 CFR part 60, Appendix A, incorporated by reference in Section 212.113 of this Part, show that the emission unit source meets the applicable particulate emission limitations at the same time that the visible emissions exceed the otherwise applicable standards of Sections 212.121 - through 212.125 of this Subpart. Such adjusted opacity limitations:~~

- 1) Shall be specified as a condition in operating permits issued pursuant to 35 Ill. Adm. Code 201 and Section 39.5 of the Act;
- 2) Shall substitute for that limitation otherwise applicable;
- 3) Shall not allow an opacity greater than 60 percent at any time; and

4) Shall allow opacity for one six-minute averaging period in any 60 minute period to exceed the adjusted opacity standard.

b) For the purpose of establishing an adjusted opacity standard, any owner or operator of an emission unit source which meets the requirements of subsection (a) of this Section ~~7-above~~, may request the Agency to determine the average opacity of the emissions from the emission unit source during any performance test(s) conducted pursuant to Section 212.110 of this Part and Methods 5 and 9 of 40 CFR Part 60, Appendix A, incorporated by reference in Section 212.113 of this Part. The Agency shall refuse to accept the results of emissions tests if not conducted pursuant to this Section.

c) Any request for the determination of the average opacity of emissions shall be made in writing, shall include the time and place of the performance test and test specifications and procedures, and shall be submitted to the Agency at least thirty (30) days before the proposed test date.

d) The Agency will advise the owner or operator of an emission unit source which has requested an opacity determination of any deficiencies in the proposed test specifications and procedures as expeditiously as practicable but no later than ten (10) days prior to the proposed test date so as to minimize any disruption of the proposed testing schedule.

e) The owner or operator shall allow Agency personnel to be present during the performance test.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

f) The method for determining an adjusted opacity standard is as follows:

- 1) A minimum of 60 consecutive minutes of opacity readings obtained in accordance with USEPA Test Method 9, 40 CFR part 60, Appendix A, incorporated by reference in Section 212.113 of this Part, shall be taken during each sampling run. Therefore, for each performance test (which normally consists of three sampling runs), a total of three sets of opacity readings totaling three hours or more shall be obtained. Concurrently, the particulate emissions data from three sampling runs obtained in accordance with USEPA Test Method 5, 40 CFR part 60, Appendix A, incorporated by reference in Section 212.113 of this Part, shall also be obtained.

- 2) After the results of the performance tests are received from the emission unit source, the status of compliance with the applicable particulate emissions limitation shall be determined by the Agency. In accordance with USEPA Test Method 5, 40 CFR part 60, Appendix A, incorporated by reference in Section 212.113 of this Part, the average of the results of the three sampling runs must be less than the allowable particulate emission rate in order for the emission unit source to be considered in compliance. If compliance is demonstrated, then only those test runs with results which are less than the allowable particulate emission rate shall be considered as acceptable test runs for the purpose of establishing an adjusted opacity standard.

- 3) The opacity readings for each acceptable sampling run shall be divided into sets of 24 consecutive readings. The six (6)-minute average opacity for each set shall be determined by dividing the sum of the 24 readings within each set by 24.

- 4) The second highest six (6)-minute average opacity obtained in subsection (f)(3) of this Section above shall be selected as the adjusted opacity standard.

- g) The owner or operator shall submit a written report of the results of the performance test to the Agency at least thirty (30) days prior to filing a petition for an adjusted standard with the Board.

- h) If, upon review of such owner's or operator's written report of the results of the performance test(s), the Agency determines that the emission unit source is in compliance with all applicable emission limitations for which the performance tests were conducted, but fails to comply with the requirements of Section 212.122 or 212.123 of this Subpart, the Agency shall notify the owner or operator as expeditiously as practicable, but no later than twenty (20) days after receiving the written report of any deficiencies in the results of the performance tests.

- i) The owner or operator may petition the Board for an adjusted visible emission standard pursuant to 35 Ill. Adm. Code 106. Subpart E. In addition to the requirements of 35 Ill. Adm. Code 106. Subpart E the petition shall include the following information:

- 1) A description of the business or activity of the petitioner,

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- including its location and relevant pollution control equipment;
- 2) The quantity and type of materials discharged from the emission unit source or control equipment for which the adjusted standard is requested;
 - 3) A copy of any correspondence between the petitioner and the Agency regarding the performance test(s) which form the basis of the adjusted standard request;
 - 4) A copy of the written report submitted to the Agency pursuant to subsection (g) of this Section above;
 - 5) A statement that the performance test(s) were conducted in accordance with this Section and the conditions and procedures accepted by the Agency pursuant to Section 212.110 of this Part;
 - 6) A statement regarding the specific limitation requested; and
 - 7) A statement as to whether the Agency has sent notice of deficiencies in the results of the performance test pursuant to subsection (h) of this Section above and a copy of said notice.
- j) In order to qualify for an adjusted standard the owner or operator must justify as follows:
- 1) That the performance test(s) were conducted in accordance with US EPA Test Methods 5 and 9, 40 CFR part 60, Appendix A, incorporated by reference in Section 212.113 of this Part, and the conditions and procedures accepted by the Agency pursuant to Section 212.110 of this Part;
 - 2) That the emission unit source and associated air pollution control equipment were operated and maintained in a manner so as to minimize the opacity of the emissions during the performance test(s); and
 - 3) That the proposed adjusted opacity standard was determined in accordance with subsection (f) of this Section.
- k) Nothing in this Section shall prevent any person from initiating or participating in a rulemaking, variance, or permit appeal proceeding before the Board.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

SUBPART D: PARTICULATE MATTER EMISSIONS
FROM INCINERATORS

Section 212.181 Limitations for Incinerators

- a) No person shall cause or allow the emission of particulate matter into the atmosphere from any incinerator burning more than 27.2 Mg/hr (60,000 lbs/hr) of refuse per-hour to exceed 115 mg (0.05 gr/scf) of effluent gases corrected to 12 percent carbon dioxide.
- b) No person shall cause or allow the emission of particulate matter into the atmosphere from any incinerator burning more than 0.907 Mg/hr (2000 lbs/hr) but less than 27.2 Mg/hr (60,000 lbs/hr) of refuse

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- per-hour to exceed 183 mg/scm (0.08 gr/scf) of effluent gases corrected to 12 percent carbon dioxide.
- c) No person shall cause or allow the emission of particulate matter into the atmosphere from all other existing incinerators for which construction or modification commenced prior to April 14, 1972, to exceed 458 mg/scm (0.2 gr/scf) of effluent gases corrected to 12 percent carbon dioxide.
 - d) No person shall cause or allow the emission of particulate matter into the atmosphere from all other new incinerators for which construction or modification commenced on or after April 14, 1972, to exceed 229 mg/scm (0.1 gr/scf) of effluent gases corrected to 12 percent carbon dioxide.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.182 Aqueous Waste Incinerators

Section 212.181(d) of this Subpart shall not apply to aqueous waste incinerators which, when corrected to 50 percent excess air for combined fuel and charge incineration, produce stack gas containing carbon dioxide dry-basis volume concentrations of less than 1.2 percent from the charge alone, if all the following conditions are met:

- a) The emission of particulate matter into the atmosphere from any such new-or-existing incinerator does not exceed 229 mg/scm (0.1 gr/scf), dry basis, when corrected to 50 percent excess air for combined fuel and charge incineration; and
- b) The waste charge to the incinerator does not exceed 907 kg/hr (2000 lbs/hr) per-hour.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.183 Certain Wood Waste Incinerators

Exception: Section 212.181(a), (b) and (d) of this Subpart shall not apply to incinerators which burn wood wastes exclusively, if all the following conditions are met:

- a) The emission of particulate matter from such incinerator does not exceed 458 mg (0.2 gr/scf) of effluent gases corrected to 12 percent carbon dioxide; and
- b) The location of such incinerator is not in a restricted area, and is more than 305 m (1000 ft) from residential or other populated areas; and
- c) When it can be affirmatively demonstrated that no economically reasonable alternative method of disposal is available.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Section 212.184 Explosive Waste Incinerators

a) Section 212.181 of this Subpart shall not apply to certain existing small explosive waste incinerators if all the following conditions are met:

- 1) The incinerator burns explosives or explosive contaminated waste exclusively;
- 2) The incinerator burns 227 kg/hr (500 lbs/hr) or less of waste per hour or less;
- 3) All incinerators on the same site operate a total of six (6) hours or less in any day; and
- 4) The incinerator was in existence prior to December 6, 1976 and is located in Williamson County in Section 3, Township 9 South, Range 2 East of the Third Principal Meridian.

b) No person shall cause or allow the emission of particulate matter into the atmosphere from any such existing small explosive waste incinerator to exceed 7140 mg/kg (50.0 gr/lb) of combined waste and auxiliary fuel burned.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.185 Continuous Automatic Stoking Animal Pathological Waste Incinerators

a) For purposes of this Section, the following definitions apply: "Animal Pathological Waste" means waste composed of whole or parts of animal carcasses and also non-carcase materials such as plaster, paper, wrapping and animal cotter; "Noncarcase materials" shall not exceed ten percent by weight of the total weight of the carcass and noncarcase materials combined; "Animal" means any organism other than a human being of the kingdom; "Animal distinguished from plants by certain typical characteristics such as the power of locomotion, fixed structure and limited growth and non-photosynthetic metabolism; "Continuous automatic stoking" means the automatic moving of animal pathological waste during burning by moving the hearth in a pulse cycle manner which process is designed to provide a continuous burning rate every hour without limitation and results in emission rates which are similar over any hour of the burning process.

ab) Section 212.181 of this Subpart shall not apply to continuous automatic stoking pathological waste incinerators if all of the following conditions are met:

- 1) The incinerator shall burn animal pathological waste exclusively, except as otherwise prescribed by the Agency during

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

specified test operation.

- 2) The incinerator shall burn no more than 907 kg/hr kilograms (2000 lbs/hr pounds) of waste per hour.
- 3) The incinerator shall be multi-stage controlled air combustion incinerator having cyclical pulsed stoking hearth.

b) No person shall cause or allow the emission of particulate matter into the atmosphere from any incinerator, as defined in this section, to exceed 1 gram of emission per 1 kg kilogram of animal pathological waste charge (0.1 lb/100 lb).

cd) The particulate matter emissions produced when burning animal pathological waste using gaseous auxiliary fuel, such as natural gas, shall not exceed the lbs/hr pound-per-hour emission rate equivalent to the maximum concentration rate set forth in Section 212.181(d) of this Subpart, when applied to burning a maximum of 2000 lb of mixed charge animal pathological waste plus solid waste for demonstration of compliance. "Mixed charge" shall contain no more than 25% percent by weight of solid waste other than animal pathological waste.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

SUBPART E: PARTICULATE MATTER EMISSIONS
FROM FUEL COMBUSTION EMISSION UNITS SOURCES

Section 212.201 Emission Units For Which Construction or Modification Commenced Prior to April 14, 1972, Existing Sources Using Solid Fuel Exclusively Located in the Chicago Area

No person shall cause or allow the emission of particulate matter into the atmosphere from any existing fuel combustion emission unit for which construction or modification commenced prior to April 14, 1972, source using solid fuel exclusively, located in the Chicago Major Metropolitan Area major metropolitan area, to exceed 0.15 kg of particulate matter per MW-hr of actual heat input in any one hour period (0.10 lbs/MMBtu MB tu/hr) except as provided in Section 212.203 of this Subpart.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.202 Emission Units For Which Construction or Modification Commenced Prior to April 14, 1972, Existing Sources Using Solid Fuel Exclusively Located Outside the Chicago Area

No person shall cause or allow the emission of particulate matter into the atmosphere from any existing fuel combustion emission unit for which construction or modification commenced prior to April 14, 1972, source using solid fuel exclusively, which is located outside the Chicago major metropolitan area, to exceed the limitations specified in the table below and

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Illustration-A in any one hour period except as provided in Section 212.203 of this Subpart.

METRIC UNITS

<u>H (Range)</u> <u>MWmegawatts</u>	<u>S</u> <u>Kg/MW kilograms-per-megawatt</u>
Less than or equal to 2.93	1.55
Greater than 2.93 but smaller than 73.2	3.33 H (-0.715)
Greater than or equal to 73.2	0.155

ENGLISH UNITS

<u>H (Range)</u> <u>Million-btu-per-hour</u> <u>mmbtu/hr</u>	<u>S</u> <u>Pounds-per-million-btu</u> <u>lbs/mmbltu</u>
Less than or equal to 10	1.0
Greater than 10 but smaller than 250	5.18 H (-0.715)
Greater than or equal to 250	0.1

where:

S = Allowable emission standard in lbs/mmbltu/hr lbs/MBtu/hr or kg/MW of actual heat input, and

H = Actual heat input in mmbtu/hr million--Btu--per--hour or MW-hr megawatts

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.203 Existing Controlled Emission Units For Which Construction or Modification Commenced Prior to April 14, 1972, Sources Using Solid Fuel Exclusively

Notwithstanding Sections 212.201 and 212.202 of this Subpart, any existing fuel combustion emission unit for which construction or modification commenced prior to April 14, 1972, source using solid fuel exclusively may, in any one hour period, emit up to, but not exceed 0.31 kg/MW-hr (0.20 lbs/mmbltu), if as of April 14, 1972, any one of the following conditions was met:

a) The emission unit source had an hourly emission rate based on

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

original design or equipment performance test conditions, whichever is stricter, which was less than 0.31 kg/MW-hr (0.20 lbs/mmbltu) of actual heat input, and the emission control of such emission unit source is not allowed to degrade more than 0.077 kg/MW-hr (0.05 lbs/mmbltu) from such original design or acceptance performance test conditions; or

b) The emission unit source was in full compliance with the terms and conditions of a variance granted by the Pollution Control Board (Board) sufficient to achieve an hourly emission rate less than 0.31 kg/MW-hr (0.20 lbs/mmbltu), and construction has commenced on equipment or modifications prescribed under that program; and emission control of such emission unit source is not allowed to degrade more than 0.077 kg/MW-hr (0.05 lbs/mmbltu) from original design or equipment performance test conditions, whichever is stricter; or

c) The emission unit source had an hourly emission rate based on original design or equipment performance test conditions, whichever is stricter, which was less than 0.31 kg/MW-hr (0.20 lbs/mmbltu) of actual heat input, and the emission control of such emission unit source is not allowed to degrade more than 0.077 kg/MW-hr (0.05 lbs/mmbltu) from that rate demonstrated by the most recent stack test, submitted to and accepted by the Agency prior to April 1, 1985, provided that:

1) Owners and operators of emission units sources subject to this subsection shall have applied apply for a new operating permit by January 9, 1987 within-100-days-of-the--effective--date--of--this section; and

2) The application for a new operating permit shall have included include a demonstration that the proposed emission rate, if greater than the emission rate allowed by subsections (a) or (b) of this Section section, will not under any foreseeable operating conditions and potential meteorological conditions cause or contribute to a violation of any applicable primary or secondary ambient air quality standard for particulate matter, or violate any applicable prevention of significant deterioration (PSD) increment, or violate 35 Ill. Adm. Code 201.141.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.204 Emission Units For Which Construction or Modification Commenced On or After April 14, 1972, New-Sources Using Solid Fuel Exclusively

No person shall cause or allow the emission of particulate matter into the atmosphere from any new fuel combustion emission unit for which construction or modification commenced on or after April 14, 1972, source using solid fuel exclusively to exceed 0.15 kg of particulate matter per MW-hr of actual heat input (0.1 lbs/mmbltu) in any one hour period unless Section 212.202,

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

212.203, or 212.205 applies.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.205 Existing Coal-fired Industrial Boilers For Which Construction or Modification Commenced Prior to April 14, 1972, Equipped with Flue Gas Desulfurization Systems

Notwithstanding Sections 212.201 through 212.204 of this Subpart, no person shall cause or allow the emission of particulate matter into the atmosphere from existing coal-fired industrial boilers equipped with flue gas desulfurization systems for which construction or modification commenced prior to April 14, 1972, to exceed 0.39 kg of particulate matter per MW-hr of actual heat input in any one-hour period (0.25 lbs/mmBtu). Nothing in this rule shall be construed to prevent compliance with applicable regulations promulgated by the USEPA 8-9-Environmental-Protection-Agency under Section 111 of the CCA Clean-Air-Act-142-6-8-7411 as amended. The provisions of Section III of the Clean Air Act relating to standards of performance for new stationary sources...are applicable in this State and are enforceable under the Environmental-Protection Act [415 ILCS 5/9.1(b)]. (iii-Rev-Stat-7-ch-111-1/2, par-109-11(b))

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.206 Emission Units Sources Using Liquid Fuel Exclusively

No person shall cause or allow the emission of particulate matter into the atmosphere in any one hour period to exceed 0.15 kg of particulate matter per MW-hr of actual heat input from any fuel combustion emission unit source using liquid fuel exclusively (0.10 lbs/mmBtu).

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.207 Emission Units Sources Using More Than One Type of Fuel

a) No person, while simultaneously burning more than one type of fuel in a fuel combustion emission unit source, shall cause or allow the emission of particulate matter into the atmosphere in any one hour period in excess of the following equation:

$$E = AS + BL$$

b) Symbols in the equation mean the following:

where:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

E = Allowable emission rate;
A = Solid fuel particulate emission standard which is applicable;
B = Constant determined from the table in subsection (c);
S = Actual heat input from solid fuel;
L = Actual heat input from liquid fuel.

be) The metric and english units to be used in the equation of subsection (a) of this Section are as follows:

Parameter	Metric	English
E	kg/hr	lbs/hr
A	kg/MW-hr	lbs/mmBtu
B	0.155	0.10
S	MW	mmBtu/hr
L	MW	mmBtu/hr

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.208 Aggregation of Emission Units For Which Construction or Modification Commenced Prior to April 14, 1972 Existing Sources

Section 212.207 of this Subpart may be applied to the aggregate of all fuel combustion emission units for which construction or modification commenced prior to April 14, 1972, sources vented to a common stack provided that after January 26, 1972:

- Ductwork has not been modified so as to interconnect such fuel combustion emission units sources;
- The actual heat input to any such existing fuel combustion emission units source is not increased; and
- No new fuel combustion emission unit source is added to reduce the degree of control of emissions of particulate matter required by this Subpart.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.209 Village of Winnetka Generating Station (Repealed)

Notwithstanding any other requirements of this Party if the Village of Winnetka files a petition to establish site-specific particulate standards for its generating station within 60 days of the effective date of the rules adopted under docket R02-17 the Village of Winnetka's generating station shall not emit particulates at a level more than 0.25 lbs/MMBtu until January 17, 1989 or until a final determination is made on that site-specific rulemaking whichever occurs sooner.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

(Source: Repealed at 20 Ill. Reg. _____, effective _____)

Section 212.210 Emissions Limitations for Certain Fuel Combustion Emission Units Sources Located in the Vicinity of Granite City

- a) No person shall cause or allow emissions of PM-10 into the atmosphere to exceed 12.9 ng/J (0.03 lbs/permmbtu) of heat input from fuels other than natural gas during any one hour period from any industrial fuel combustion emission units ~~emissions--source~~, other than in an integrated iron and steel plant, located in the vicinity of Granite City, which area is defined in Section 212.324(a)(1)(C) of this Subpart.
- b) Emission units Compliance--Date--Sources shall comply with the emissions limitations of this Section ~~within one--year--following--its effective--date--or~~ by May 11 December--19, 1993, or upon initial start-up, whichever occurs later ~~is--earlier~~.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

SUBPART K: FUGITIVE PARTICULATE MATTER

Section 212.301 Fugitive Particulate Matter

No person shall cause or allow the emission of fugitive particulate matter from any process, including any material handling or storage activity, that is visible by an observer looking generally toward the zenith at a point beyond the property line of the emission source.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.302 Geographical Areas of Application

- a) ~~Except for those operations subject to Subpart S--(Grain-Handling--and Grain-Drying Operations)--that are outside the areas defined in Section 212.324--(a)(1) Sections 212.304 through 212.310 and 212.312 of this Subpart shall apply to all mining operations (SIC major groups 10 through 14), manufacturing operations (SIC major groups 20 through 39 except for those operations subject to Subpart S of this Part (Grain-Handling and Grain-Drying Operations) that are outside the areas defined in Section 212.324(a)(1) of this Part), and electric generating operations (SIC group 491), which are located in the areas defined by the boundaries of the following townships, notwithstanding any political subdivisions contained therein, as the township boundaries were defined on October 1, 1979, in the following counties:~~

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Cook: All townships
Lake: Shields, Waukegan, Warren
DuPage: Addison, Winfield, York
Will: DuPage, Plainfield, Lockport, Channahon, Peotone, Florence, Joliet

Peoria: Richwoods, Limestone, Hollis, Peoria, City of Peoria
Tazewell: Fondulac, Pekin, Cincinnati, Groveland, Washington
Macon: Decatur, Hickory Point
Rock Island: Blackhawk, Coal Valley, Hampton, Moline, South Moline, Rock Island, South Rock Island
LaSalle: LaSalle, Utica
Madison: Alton, Chouteau, Collinsville, Edwardsville, Fort Russell, Godfrey, Granite City, Nameoki, Venice, Wood River

St. Clair: Canteen, Caseyville, Centerville, St. Clair, Stites, Stookey, Sugar Loaf, Millstadt.

- b) In the geographical areas defined in Section 212.324(a)(1) of this Part, Sections 212.304 through 212.310, 212.312, and 212.316 of this Subpart shall apply to all emission units ~~sources~~ identified in subsection (a) of this Section, and shall further apply to the following operations: grain-handling and grain-drying (Subpart S of this Part), transportation, communications, electric, gas, and sanitary services (SIC major groups 40 through 49). Additionally, Sections 212.304 through 212.310, 212.312, and 212.316 of this Subpart shall apply to wholesale trade-farm supplies (SIC Industry No. 5191) located in the vicinity of Granite City, as defined in Section 212.324(a)(1)(C) of this Part.
- c) Emission units must comply with Compliance-Date--Compliance-with subsection (b) of this Section is--required--one--year--following--its effective--date--or by May 11 December--19, 1993, or upon initial start-up, whichever occurs later ~~is--earlier~~.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.304 Storage Piles

- a) All storage piles of materials with uncontrolled emissions of fugitive particulate matter in excess of 45.4 Mg per year (50 T/Yr year) which are located within a source facility whose potential particulate emissions from all emission units ~~sources~~ exceed 90.8 Mg/Yr ~~per--year~~ (100 T/Yr year) shall be protected by a cover or sprayed with a surfactant solution or water on a regular basis, as needed, or treated by an equivalent method, in accordance with the operating program required by Sections 212.309, 212.310 and 212.312 of this Subpart.
- b) ~~Exception:~~ Subsection (a) of this Section shall not apply to a specific storage pile if the owner or operator of that pile proves to

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

the Agency that fugitive particulate emissions from that pile do not cross the property line either by direct wind action or reentrainment.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.305 Conveyor Loading Operations

All conveyor loading operations to storage piles specified in Section 212.304 of this Subpart shall utilize spray systems, telescopic chutes, stone ladders or other equivalent methods in accordance with the operating program required by Sections 212.309, 212.310 and 212.312 of this Subpart.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.306 Traffic Areas

All normal traffic pattern access areas surrounding storage piles specified in Section 212.304 of this Subpart and all normal traffic pattern roads and parking facilities which are located on mining or manufacturing property shall be paved or treated with water, oils or chemical dust suppressants. All paved areas shall be cleaned on a regular basis. All areas treated with water, oils or chemical dust suppressants shall have the treatment applied on a regular basis, as needed, in accordance with the operating program required by Section 212.309, 212.310 and 212.312 of this Subpart.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.309 Operating Program

a) The emission units ~~sources~~ described in Sections 212.304 through 212.308 and Section 212.316 of this Subpart shall be operated under the provisions of an operating program, consistent with the requirements set forth in Sections 212.310 and 212.312 of this Subpart Part, and prepared by the owner or operator and submitted to the Agency for its review. Such operating program shall be designed to significantly reduce fugitive particulate matter emissions.

b) ~~Compliance--Date-~~ The amendment to this Section incorporating the applicability of Section 212.316 shall apply by ~~May 11 one--year following--its--effective--date--of--December--10, 1993, or upon initial start-up, whichever occurs later is earlier.~~

(Source: Amended at 20 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Section 212.310 Minimum Operating Program

As a minimum the operating program shall include the following:

- a) The name and address of the source ~~facility~~;
- b) The name and address of the owner or operator responsible for execution of the operating program;
- c) A map or diagram of the source ~~facility~~ showing approximate locations of storage piles, conveyor loading operations, normal traffic pattern access areas surrounding storage piles and all normal traffic patterns within the source ~~facility~~;
- d) Location of unloading and transporting operations with pollution control equipment;
- e) A detailed description of the best management practices utilized to achieve compliance with this Subpart, including an engineering specification of particulate collection equipment, application systems for water, oil chemicals and dust suppressants utilized and equivalent methods utilized;
- f) Estimated frequency of application of dust suppressants by location of materials; and
- g) Such other information as may be necessary to facilitate the Agency's review of the operating program,

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.313 Emission Standard for Particulate Collection Equipment

If particulate collection equipment is operated pursuant to Sections 212.304 through 212.310 and 212.312 of this Subpart, emissions from such equipment shall not exceed 68 mg/dscm (0.03 gr/dscf).

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.314 Exception for Excess Wind Speed

Section 212.301 of this Subpart shall not apply and spraying pursuant to Sections 212.304 through 212.310 and 212.312 of this Subpart shall not be required when the wind speed is greater than 40.2 km/hr ~~kilometers--per-hour (25 mph miles--per-hour)~~. Determination of wind speed for the purposes of this rule shall be by a one-hour average or hourly recorded value at the nearest official station of the U.S. Weather Bureau or by wind speed instruments operated on the site. In cases where the duration of operations subject to this rule is less than one hour, wind speed may be averaged over the duration of the operations on the basis of ~~on-site~~ wind speed instrument measurements.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

transfer onto and off of a conveyor to exceed an opacity of 5 percent 5%.

f) Emission Limitation for All Other Emission Units Sources. Unless an emission unit a-source has been assigned a particulate matter, PM-10, or fugitive particulate matter emissions limitation elsewhere in this Section or in Subparts R or S of this Part, no person shall cause or allow fugitive particulate matter emissions from any emission unit source to exceed an opacity of 20 percent 20%.

g) Recordkeeping and Reporting

1) The owner or operator of any fugitive particulate matter emission unit source subject to this Section shall keep written records of the application of control measures as may be needed for compliance with the opacity limitations of this Section and shall submit to the Agency an annual report containing a summary of such information.

2) The records required under this subsection shall include at least the following:

A) The name and address of the source plant;

B) The name and address of the owner and/or operator of the source plant;

C) A map or diagram showing the location of all emission units sources controlled, including the location, identification, length, and width of roadways;

D) For each application of water or chemical solution to roadways by truck: the name and location of the roadway controlled, application rate of each truck, frequency of each application, width of each application, identification of each truck used, total quantity of water or chemical used for each application and, for each application of chemical solution, the concentration and identity of the chemical;

E) For application of physical or chemical control agents: the name of the agent, application rate and frequency, and total quantity of agent, and, if diluted, percent of concentration, used each day; and

F) A log recording incidents when control measures were not used and a statement of explanation.

3) Copies of all records required by this Section shall be submitted to the Agency within ten (10) working days after a written request by the Agency and shall be transmitted to the Agency by a company-designated person with authority to release such records.

4) The records required under this Section shall be kept and maintained for at least three (3) years and shall be available for inspection and copying by Agency representatives during working hours.

5) A quarterly report shall be submitted to the Agency stating the following: the dates any necessary control measures were not implemented, a listing of those control measures, the reasons that the control measures were not implemented, and any

Section 212.315 Covering for Vehicles (Repealed)

No person shall cause or allow the operation of a vehicle of the second division as defined by Ill. Rev. Stat., 1987, Ch. 95, 1-1/2, pars. 1-217, as revised, or a semi-trailer as defined by Ill. Rev. Stat., 1987, Ch. 95, 1-1/2, pars. 1-107, as revised, without a covering sufficient to prevent the release of particulate matter into the atmosphere, provided that this rule shall not pertain to automotive exhaust emissions.

(Source: Repealed at 20 Ill. Reg. _____, effective _____)

Section 212.316 Emissions Limitations for Emissions Units Sources in Certain Areas

a) Applicability. This Section shall apply to those operations specified in Section 212.302 of this Subpart and that are located in areas defined in Section 212.324(a)(1) of this Part.

b) Emission Limitation for Crushing and Screening Operations. No person shall cause or allow fugitive particulate matter emissions generated by the crushing or screening of slag, stone, coke or coal to exceed an opacity of 10 percent 10%.

c) Emission Limitations for Roadways or Parking Areas. No person shall cause or allow fugitive particulate matter emissions from any roadway or parking area to exceed an opacity of 10 percent 10%, except that the opacity shall not exceed 5 percent 5% at quarries with a capacity to produce more than 1 million T/yr tons-per-year of aggregate.

d) Emission Limitations for Storage Piles. No person shall cause or allow fugitive particulate matter emissions from any storage pile to exceed an opacity of 10 percent 10%, to be measured four ft feet from the pile surface.

e) Additional Emissions Limitations for the Granite City Vicinity as Defined in Section 212.324(a)(1)(C) of this Part.

1) Emissions Limitations for Roadways or Parking Areas Located at Slag Processing Facilities or Integrated Iron and Steel Manufacturing Plants. No person shall cause or allow fugitive particulate matter emissions from any roadway or parking area located at a slag processing facility or integrated iron and steel manufacturing plant to exceed an opacity of 5 percent 5%.

2) Emissions Limitations for Marine Terminals:

A) No person shall cause or allow fugitive particulate matter emissions from any loading spouts for truck or railcar to exceed an opacity of 10 percent; and 10%.

B) No person shall cause or allow fugitive particulate matter emissions generated at barge unloading, dump pits, or conveyor transfer points including, but not limited to,

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

corrective actions taken. This information includes, but is not limited to, those dates when controls were not applied based on a belief that application of such control measures would have been unreasonable given prevailing atmospheric conditions, which shall constitute a defense to the requirements of this Section. This report shall be submitted to the Agency thirty (30) calendar days from the end of a quarter. Quarters end March 31, June 30, September 30, and December 31.

- h) Compliance Date. Emission units Sources shall comply with the emissions limitations and record keeping and reporting requirements of this Section ~~within one year following the effective date of this Section~~ or by May 11 December 19, 1993, or upon initial start-up, whichever occurs later is earlier.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

SUBPART L: PARTICULATE MATTER EMISSIONS
FROM PROCESS EMISSION UNITS SOURCES

Section 212.321 New Process Emission Units For Which Construction or Modification Commenced On or After April 14, 1972 Sources

- a) Except as further provided in this Part, no person shall cause or allow the emission of particulate matter into the atmosphere in any one hour period from any new process emission unit source which, either alone or in combination with the emission of particulate matter from all other similar new process emission units for which construction or modification commenced on or after April 14, 1972, sources at a source plant or premises, exceeds the allowable emission rates specified in subsection (c) of this Section and ~~illustration-B~~. b) Interpolated and extrapolated values of the data in subsection (c) of this Section shall be determined by using the equation:

$$E = A(P)^{(\text{superscript B})}$$

where:

P = Process weight rate; and
E = Allowable emission rate; and

- 1) Up to process weight rates of 408 MG/hr (450 T/hr):

Metric		English	
P	Mg/hr	T/hr	
E	kg/hr	lbs/hr	
A	1.214	2.54	
B	0.534	0.534	

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 2) For process weight rate greater than or equal to 408 Mg/hr (450 T/hr):

Metric		English	
P	Mg/hr	T/hr	
E	kg/hr	lbs/hr	
A	11.42	24.8	
B	0.16	0.16	

- c) Limits for New Process Emission Units For Which Construction or Modification Commenced On or After April 14, 1972 Sources

Metric		English	
P	Mg/hr	P	T/hr
E	kg/hr	E	lbs/hr
0.05	0.25	0.05	0.55
0.1	0.29	0.10	0.77
0.2	0.42	0.20	1.10
0.3	0.64	0.30	1.35
0.4	0.74	0.40	1.58
0.5	0.84	0.50	1.75
0.7	1.00	0.75	2.40
0.9	1.15	1.00	2.60
1.8	1.66	2.00	3.70
2.7	2.1	3.00	4.60
3.6	2.4	4.00	5.35
4.5	2.7	5.00	6.00
9.	3.9	10.00	8.70
13.	4.8	15.00	10.80
18.	5.7	20.00	12.50
23.	6.5	25.00	14.00
27.	7.1	30.00	15.60
32.	7.7	35.00	17.00
36.	8.2	40.00	18.20
41.	8.8	45.00	19.20
45.	9.3	50.00	20.50
90.	13.4	100.00	29.50
140.	17.0	150.00	37.00
180.	19.4	200.00	43.00
230.	22.	250.00	48.50
270.	24.	300.00	53.00
320.	26.	350.00	58.00
360.	28.	400.00	62.00
408.	30.1	450.00	66.00
454.	30.4	500.00	67.00

where:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

P = Process weight rate in metric or T/hr English-tons-per--hour,
and
E = Allowable emission rate in kg/hr kilograms or lbs/hr pounds
per-hour.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.322 Existing Process Emission Units For Which Construction or Modification Commenced Prior to April 14, 1972 Sources

a) Except as further provided in this Part, no person shall cause or allow the emission of particulate matter into the atmosphere in any one hour period from any existing process emission unit for which construction or modification commenced prior to April 14, 1972, source which, either alone or in combination with the emission of particulate matter from all other similar new-or--existing process emission units sources at a source plant or premises, exceeds the allowable emission rates specified in subsection (c) of this Section and-illustrations-e.

b) Interpolated and extrapolated values of the data in subsection (c) of this Section shall be determined by using the equation:

$$E = C + A(P)(\text{superscript B})$$

where:

P = process weight rate; and

E = allowable emission rate; and,

1) For process weight rates up to 27.2 Mg/hr (30 T/hr):

Metric		English	
P	Mg/hr	T/hr	
E	kg/hr	lbs/hr	
A	1.985	4.10	
B	0.67	0.67	
C	0	0	

2) For process weight rates in excess or 27.2 Mg/hr (30 T/hr):

Metric		English	
P	Mg/hr	T/hr	
E	kg/hr	lbs/hr	
A	25.21	55.0	
B	0.11	0.11	
C	-18.4	-40.0	

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

c) Limits for Existing Process Emission Units For Which Construction or Modification Commenced Prior to April 14, 1972 Sources

Metric		English	
P	Mg/hr	kg/hr	T/hr
E	0.05	0.27	0.05
	0.1	0.42	0.10
	0.2	0.68	0.20
	0.3	0.89	0.30
	0.4	1.07	0.40
	0.5	1.25	0.50
	0.7	1.56	0.75
	0.9	1.85	1.00
	1.8	2.9	2.00
	2.7	3.9	3.00
	3.6	4.7	4.00
	4.5	5.4	5.00
	9.	8.7	10.00
	13.	11.1	15.00
	18.	13.8	20.00
	23.	16.2	25.00
	27.2	18.15	30.00
	32.	18.8	35.00
	36.	19.3	40.00
	41.	19.8	45.00
	45.	20.2	50.00
	90.	23.2	100.00
	140.	25.3	150.00
	180.	26.5	200.00
	230.	27.7	250.00
	270.	28.5	300.00
	320.	29.4	350.00
	360.	30.0	400.00
	400.	30.6	450.00
	454.	31.3	500.00

where:

P = Process weight rate in Mg/hr metric or T/hr English-tons-per-hour, and

E = Allowable emission rate in kg/hr kilograms or lbs/hr pounds per-hour.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Sections 212.321 and 212.322 of this Subpart shall not apply to emission units sources, such as stock piles of particulate matter, to which, because of the disperse nature of such emission units sources, such rules cannot reasonably be applied.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.324 Process Emission Units Sources in Certain Areas

a) Applicability.

- 1) This Section shall apply to any process emission unit source located in any of the following areas:

A) That area bounded by lines from Universal Transmercator (UTM) coordinate 4280000mE, 4631000mN, east to 4350000mE, 4631000mN, south to 4350000mE, 4623000mN, west to 4280000mE, 4623000mN, north to 4280000mE, 4631000mN, in the vicinity of McCook in Cook County, as shown in Illustration D of this Part;

B) That area bounded by lines from Universal Transmercator (UTM) coordinate 4450000mE, 4622180mN, east to 456265mE, 4622180mN, south to 456265E, 4609020mN, west to 4450000mE, 4609020mN, north to 4450000mE, 4622180mN, in the vicinity of Lake Calumet in Cook County, as shown in Illustration E of this Part;

C) That area bounded by lines from Universal Transmercator (UTM) coordinate 7440000mE, 4290000mN, east to 7530000mE, 4290000mN, south to 7530000mE, 4283000mN, west to 7440000mE, 4283000mN, north to 7440000mE, 4290000mN, in the vicinity of Granite City in Madison County, as shown in Illustration F of this Part.

- 2) This Section shall not alter the applicability of Sections 212.321 and 212.322 of this Subpart Part.

3) The emissions limitations of this Section are not applicable to any emission unit source subject to a specific emissions standard or limitation contained in any of the following Subparts of this Part:

- (A) Subpart N, Food Manufacturing;
(B) Subpart Q, Stone, Clay, Glass, and Concrete Manufacturing;
(C) Subpart R, Primary and Fabricated Metal Products, and Machinery Manufacture; and
(D) Subpart S, Agriculture.

b) General Emission Limitation. Except as otherwise provided in this Section, no person shall cause or allow the emission into the atmosphere, of PM-10, from any process emission unit source to exceed 68.7 mg/scm (0.03 gr/scf) during any one hour period.

c) Alternative Emission Limitation. In lieu of the emission limit of

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

68.7 mg/scm (0.03 gr/scf) contained in subsection (b) of this Section no person shall cause or allow the emissions from of the following emission units sources to exceed the corresponding limitations in the following table:

Source Emission Units	Emissions Limit	
	Metric	English
1) Shotblasting emissions units sources in the Village of McCook equipped with fabric filter(s) as of June 1, 1991	22.9 mg/scm	0.01 gr/scf
2) All process emissions units sources at manufacturers of steel wool with soap pads located in the Village of McCook	5% opacity	5% opacity

d) Exceptions. The mass emission limits contained in subsections (b) and (c) of this Section shall not apply to those emission units sources with no visible emissions other than fugitive particulate matter; however, if a stack test is performed, this subsection is not a defense to a finding of a violation of the mass emission limits contained in subsections (b) and (c) of this Section.

e) Special Emissions Limitation for Fuel-Burning Process Emission Units Sources--Sources in the Vicinity of Granite City. No person shall cause or allow emissions of PM-10 into the atmosphere to exceed 12.9 ng/J (0.03 lbs/yr-per mmbtu) of heat input from the burning of fuel other than natural gas at any process emission unit emissions--source located in the vicinity of Granite City as defined in subsection (a)(1)(C) of this Section.

f) Maintenance and Repair. For any process emission unit source subject to subsection (a) of this Section, the owner or operator shall maintain and repair all air pollution control equipment in a manner that assures that the emission limits and standards in this Section shall be met at all times. This Section shall not affect the applicability of Section 201.149 of this Part. Proper maintenance shall include the following minimum requirements:

- 1) Visual inspections of air pollution control equipment;
 - 2) Maintenance of an adequate inventory of spare parts; and
 - 3) Expeditious repairs, unless the emission unit source is shutdown.
- g) Recordkeeping of Maintenance and Repair.
- 1) Written records of inventory and documentation of inspections, maintenance, and repairs of all air pollution control equipment shall be kept in accordance with subsection (f) of this Section.
 - 2) The owner or operator shall document any period during which any process emission unit source was in operation when the air

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

pollution control equipment was not in operation or was malfunctioning so as to cause an emissions level in excess of the emissions limitation. These records shall include documentation of causes for pollution control equipment not operating or such malfunction and shall state what corrective actions were taken and what repairs were made.

- 3) A written record of the inventory of all spare parts not readily available from local suppliers shall be kept and updated.
 - 4) Copies of all records required by this Section shall be submitted to the Agency within ten (10) working days after of request by the Agency.
 - 5) The records required under this Section shall be kept and maintained for at least three (3) years and shall be available for inspection and copying by Agency representatives during working hours.
 - 6) Upon written request by the Agency a report shall be submitted to the Agency for any period specified in the request stating the following: the dates during which any process ~~emissions~~ emission unit ~~source~~ was in operation when the air pollution control equipment was not in operation or was not operating properly, documentation of causes for pollution control equipment not operating or not operating properly, and a statement of what corrective actions were taken and what repairs were made.
- h) Compliance Date. Emission units ~~Sources~~ shall comply with the emissions limitations and recordkeeping and reporting requirements of this Section ~~within one-year after the effective date of this Section~~ or by May 11 December 10, 1993, whichever occurs later ~~is earlier~~.
- (Source: Amended at 20 Ill. Reg. _____, effective _____)

SUBPART N: FOOD MANUFACTURING

Section 212.361 Corn Wet Milling Processes

Sections 212.321 and 212.322 of this Part shall not apply to feed and gluten dryers in corn wet milling processes, where the exit gases have a dew point higher than the ambient temperature and the specific gravity of the material processed is less than 2.0. No person shall cause or allow the emission of particulate matter into the atmosphere from any such process so as to exceed the emission standards and limitations specified in Section 212.322.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.362 Emission Units Sources in Certain Areas

- a) Applicability.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Subsections (b)(1) through (b)(4) of this Section shall apply to those emission units ~~sources~~ engaged in food manufacturing and located in the Village of Bedford Park west of Archer Avenue and in the area defined in Section 212.324(a)(1)(A) of this Part.
- 2) Subsection (b)(5) of this Section applies to an instant tea manufacturing plant in Granite City, as defined in Section 212.324(a)(1)(C) of this Part.
- b) Emission Limitation. No person shall cause or allow the emission of PM-10, other than that of fugitive particulate matter, into the atmosphere to exceed the following limits during any one hour period:
 - 1) 22.9 mg/scm (0.01 gr/scf) for dextrose dryers, dextrose melt tank systems, bulk dextrose loading systems, house dry dextrose dust systems, dextrose bagging machine dust systems, dextrose expansion dryer/cooler and packing systems and 2034 dextrose dryer/cooler dust collecting systems;
 - 2) 34.3 mg/scm (0.015 gr/scf) for feed dryers, gluten dryers, germ dryers, and heat recovery scrubbers;
 - 3) 68.7 mg/scm (0.03 gr/scf) for germ cake transport systems, spent flake transport/cooling systems, bleaching clay systems, dust pickup bin systems in Building 26, and pellet cooler systems;
 - 4) 45.8 mg/scm (0.02 gr/scf) for germ transport systems, starch dust collection systems, dicalite systems, starch processing/transport systems, starch dryers, starch transport systems, calcium carbonate storage systems, starch loading systems, corn unloading systems, germ transfer towers, dextrose transport systems, soda ash unloading systems, corn silo systems, filter aid systems, spent flake storage systems, corn cleaning transport systems, feed transport cooling systems, gluten cooling systems, gluten transport systems, feed dust systems, gluten dust systems, pellet dust systems, spent flake transport systems, rail car maintenance system buildings, and dextrose expansion milling and storage systems;:-
- 5) 22.9 mg/scm (0.01 gr/scf) for any process emission unit ~~emissions source~~ at an instant tea manufacturing plant in Granite City, except the spray dryer, raw tea storage silo, and instant tea filling machines.
- c) Exceptions. The mass emission limits contained in subsection (b) of this Section shall not apply to those emission units ~~sources~~ with no visible emissions other than fugitive matter; however, if a stack test is performed, this subsection is not a defense to a finding of a violation of the mass emission limits contained in subsection (b) of this Section.
- d) Maintenance, Repair, and Recordkeeping. The requirements of ~~subsections (f) and (g) of Section~~ Sections 212.324(f) and (g) of this Part shall also apply to this Section.
- e) Compliance Date. Emission units ~~Sources~~ shall comply with the emissions limitations and recordkeeping and reporting requirements of this Section ~~within one-year after the effective date of this Section~~.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

or by May 11 December-10, 1993, or upon initial start-up, whichever occurs later is earlier.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

SUBPART O: PETROLEUM REFINING, PETROCHEMICAL AND CHEMICAL MANUFACTURING

Section 212.381 Catalyst Regenerators of Fluidized Catalytic Converters

Sections 212.321 and 212.322 of this Part shall not apply to catalyst regenerators of fluidized catalytic converters. No person shall cause or allow the emission rate from new-and-existing catalyst regenerators of fluidized catalytic converters to exceed in any one hour period the rate determined using the following equations:

$$E = 4.10 (P)(0.67) \quad \text{for } P \text{ less than or equal to } 30 \quad \frac{\text{T/hr}}{\text{tons-per-hour.}}$$

$$E = (55.0 (P)(0.11)) - 40.0 \quad \text{for } P \text{ greater than } 30 \quad \frac{\text{T/hr}}{\text{tons-per-hour.}}$$

where:

E = allowable emission rate in lbs/hr pounds-per-hour, and
P = catalyst recycle rate, including the amount of fresh catalyst added, in T/hr tons-per-hour.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

SUBPART Q: STONE, CLAY, GLASS AND CONCRETE MANUFACTURING

Section 212.421 New Portland Cement Processes For Which Construction or Modification Commenced On or After April 14, 1972

No person shall cause or allow the emission of smoke or other particulate matter from any new portland cement process for which construction or modification commenced on or after April 14, 1972, into the atmosphere having an opacity greater than 10 percent.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.422 Portland Cement Manufacturing Processes

Section 212.321 of this Part shall not apply to the kilns and coolers of

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

portland cement manufacturing processes.

a) The kilns and clinker coolers of existing portland cement manufacturing processes for which construction or modification commenced prior to April 14, 1972, shall comply with the emission standards and limitations of Section 212.322 of this Part.

b) The kilns and clinker coolers of new portland cement manufacturing processes for which construction or modification commenced on or after April 14, 1972, shall comply with the following emission standards and limitations:

- 1) No person shall cause or allow the emission of particulate matter into the atmosphere from any such kiln the exceed 0.3 lbs/T pounds-per-ton of feed to the kiln.
- 2) No person shall cause or allow the emission of particulate matter into the atmosphere from any such clinker cooler to exceed 0.1 lbs/T pounds-per-ton of feed to the kiln.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.423 Emissions Limits for the Portland Cement Manufacturing Plant Located in LaSalle County, South of the Illinois River

a) ~~Applicability:~~ This Section shall apply to the portland cement manufacturing plants in operation before September 1, 1990 located in LaSalle County, south of the Illinois River. This Section shall not alter the applicability of Sections 212.321 and 212.322 of this Part to portland cement manufacturing processes other than those for which alternate emission limits are specified in subsection (b) of this Section. This Section shall not become effective until April 30, 1992.

b) ~~Prohibitions~~

1) No person shall cause or allow emissions of PM-10 to exceed the emission limits set forth below for each process:

	PM-10 Emission Limits	
	Rate	Concentration
	kg/hr	(lbs/hr)
A. Clinker Cooler	4.67	(10.3)
B. Finish Mill High Efficiency Air Separator	2.68	(5.9)
		mg/scm (gr/scf)
		28.147 (0.012)
		26.087 (0.011)

2) No person shall cause or allow emissions of PM-10--including condensable--PM-10--to exceed the emission limits set forth below for each process:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

PM-10 Emission Limits Including Condensible PM-10

	Rate		Concentration	
	kg/hr	(lbs/hr)	mg/scm	(gr/scf)
A. Raw Mill Roller	6.08	(13.4)	27.5	(0.012)
Mill (RMRM)				
B. Kiln without	19.19	(42.3)	91.5	(0.040)
RMRM Operating				
C. Kiln with RMRM	11.43	(25.2)	89.2	(0.039)

c) No person shall cause or allow any visible emissions from any portland cement manufacturing process emission unit source not listed in subsection (b) of this Section.

d) Maintenance and Repair. The owner or operator of any process emission unit source subject to subsection (b) or (c) of this Section shall maintain and repair all air pollution control equipment in a manner that assures that the applicable emission limits and standards in subsection (b) or (c) of this Section shall be met at all times. Proper maintenance shall include at least the following requirements:

- 1) Visual inspections of air pollution control equipment shall be conducted;
- 2) An adequate inventory of spare parts shall be maintained;
- 3) Prompt and immediate repairs shall be made upon identification of the need; and
- 4) Written records of inventory and documentation of inspections, maintenance, and repairs of all air pollution control equipment shall be kept in accordance with subsection (e) of this Section.

e) Recordkeeping of Maintenance and Repair.

- 1) Written records shall be kept documenting inspections, maintenance, and repairs of all air pollution control equipment. All such records required under this Section shall be kept and maintained for at least three (3) years, shall be available for inspection by the Agency, and, upon request, shall be copied and furnished to Agency representatives during working hours.

- 2) The owner or operator shall document any period during which any process emission unit source was in operation when the air pollution control equipment was not in operation or was not operating properly. These records shall include documentation of causes for pollution control equipment not operating or not operating properly, and shall state what corrective actions were taken and what repairs were made. In any quarter during which such a malfunction should occur, the owner or operator shall mail one copy of the documentation to the Agency.

3) A written record of the inventory of all spare parts not readily available from local suppliers shall be kept and updated.

4) Upon written request by the Agency, the owner or operator shall submit any information required pursuant to this Subpart Q, for

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

any period of time specified in the request. Such information shall be submitted within ten (10) working days from the date on which the request is received.

- f) Testing to determine compliance with the emission limits specified for PM-10, condensible PM-10, and detection of visible emissions shall be in accordance with the measurement methods specified in Sections 212.107 and 212.108(a) and (b) of this Part Section--212.108(d)--(e) and--(f). Ammonium chloride shall be excluded from the measurement of condensible PM-10.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.424 Fugitive Particulate Matter Control for the Portland Cement Manufacturing Plant and Associated Quarry Operations Located in LaSalle County, South of the Illinois River.

a) Applicability. This Section shall apply to the portland cement manufacturing plant in operation before September 1, 1990, and associated quarry operations located in LaSalle County, south of the Illinois River. Associated quarry operations are those operations involving the removal and disposal of overburden, and the extraction, crushing, sizing, and transport of limestone and shale for usage at the portland cement manufacturing plant. This Section shall not become effective until April 30, 1992.

b) Applicability of Subpart K of this Part. This Section shall not alter the applicability of Subpart K: Fugitive Particulate Matter.

c) Fugitive Particulate Matter Control Measures For Roadways at the Plant.

- 1) For the unpaved access roadway to the Illinois Central Silos Loadout, the owner or operator shall spray a 30 percent solution of calcium chloride once every 16 weeks at an application rate of at least 1.58 $\frac{\text{L}}{\text{m}^2}$ liters--per--square--meter (0.35 $\frac{\text{gal}}{\text{yd}^2}$) gallons--per--square--yard followed by weekly application of water at a rate of at least 1.58 $\frac{\text{L}}{\text{m}^2}$ liters--per--square--meter (0.35 $\frac{\text{gal}}{\text{yd}^2}$) gallons--per--square--yard. This subsection shall not apply after the roadway is paved.

- 2) The owner or operator of the portland cement manufacturing plant shall keep written records in accordance with subsection (e) of this Section.

d) Fugitive Particulate Matter Control Measures for Associated Quarry Operations.

- 1) For the primary crusher, the primary screen, the #3 conveyor from the primary screen to the surge pile, and the surge pile feeders to the #4 conveyor, the owner or operator shall spray a chemical foam spray of at least 1 percent solution of chemical foaming agent in water continuously during operations at a rate of at least 1.25 $\frac{\text{L}}{\text{Mg}}$ liters--per--megagram (0.30 $\frac{\text{gal}}{\text{T}}$) gallons--per--ton

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

of rock processed.

- 2) The owner or operator shall water all roadways traveled by trucks to and from the primary crusher in the process of transporting raw limestone and shale to the crusher at an application rate of at least 0.50 $\frac{1}{m}(2)$ ~~liters-per-square-meter~~ (0.10 gal/yd²) ~~gallons-per-square-yard~~ applied once every eight hours of operation except under conditions specified in subsection (d)(3) of this Section below. Watering shall begin within one hour of commencement of truck traffic each day.

- 3) Subsection (d)(2) of this Section above shall be followed at all times except under the following circumstances:

- A) Precipitation is occurring such that there are no visible emissions or if precipitation occurred during the previous 2 hours such that there are no visible emissions;
 - B) If the ambient temperature is less than or equal to 0° C (32° F); or
 - C) If ice or snow build-up has occurred on roadways such that there are no visible emissions.
- 4) The owner or operator of the associated quarry operations shall keep written records in accordance with subsection (e) of this Section.

e) Recordkeeping and Reporting

- 1) The owner or operator of any portland cement manufacturing plant and/or associated quarry operations subject to this Section shall keep written daily records relating to the application of each of the fugitive particulate matter control measures required by this Section.

- 2) The records required under this Section shall include at least the following:

- A) The name and address of the plant;
- B) The name and address of the owner or operator of the plant and associated quarry operations;
- C) A map or diagram showing the location of all fugitive particulate matter emission units sources controlled including the location, identification, length, and width of roadways;
- D) For each application of water or calcium chloride solution, the name and location of the roadway controlled, the water capacity of each truck, application rate of each truck, frequency of each application, width of each application, start and stop time of each application, identification of each water truck used, total quantity of water or calcium chloride used for each application, including the concentration of calcium chloride used for each application;
- E) For application of chemical foam spray solution, the application rate and frequency of application, name of foaming agent, and total quantity of solution used each day;

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- F) Name name and designation of the person applying control measures; and

- G) A log recording all failures to use control measures required by this Section with a statement explaining the reasons for each failure and, in the case of a failure to comply with the roadway watering requirements of subsection (d)(2) of this Section, a record showing that one of the circumstances for exceptions listed in subsection (d)(3) of this Section existed during the period of the failure. Such record shall include, for example, the periods of time when the measured temperature was less than or equal to 0° C (32° F).

- 3) Copies of all records required by this Section shall be submitted to the Agency within ten (10) working days of a written request by the Agency.

- 4) The records required under this Section shall be kept and maintained for at least three (3) years and shall be available for inspection and copying by Agency representatives during working hours.

- 5) A quarterly report shall be submitted to the Agency stating the following: the dates required control measures were not implemented, the required control measures, the reasons that the control measures were not implemented, and the corrective actions taken. This report shall include those times when subsection (d) of this Section is involved. This report shall be submitted to the Agency thirty (30) calendar days from the end of a quarter. Quarters end March 31, June 30, September 30, and December 31.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.425 Emission Units Sources in Certain Areas

- a) ~~Applicability~~ This Section shall apply to those emission units sources located in those areas defined in Section 212.324(a)(1) of this Part.

- b) ~~Emission Limitation~~ No person shall cause or allow the emission of PM-10, other than that of fugitive particulate matter, into the atmosphere to exceed the following limits during any one hour period:
- 1) 57.2 mg/scm (0.025 gr/scf) for coater and cooling loop ventilators at a roofing asphalt manufacturing plants located in the Village of Summit;

- 2) 34.3 mg/scm (0.015 gr/scf) for mineral filler handling emission units sources at a roofing asphalt manufacturing plant located in the Village of Summit;

- 3) 0.03 kg/Mg (0.06 lb/T) of asphalt mixed for asphalt mixer at a roofing asphalt manufacturing plants located in the Village of Summit;

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 4) 91.6 mg/scm (0.04 gr/scf) for roofing asphalt blowing stills, except stills Nos. 1 and 2, at a roofing asphalt manufacturing plants located in the Village of Summit;
- 5) 45.8 mg/scm (0.02 gr/scf) for kilns in the lime manufacturing industry;
- 6) 22.9 mg/scm (0.01 gr/scf) for all other process emission units sources in the lime manufacturing industry;
- 7) 0.325 kg/Mg (0.65 lb/T) of glass produced for all glass melting furnaces.

c) ~~Exception:~~ The mass emission limits contained in subsection (b) of this Section shall not apply to those emission units ~~sources~~ with no visible emissions other than fugitive particulate matter; however, if a stack test is performed, this subsection is not a defense to a finding of a violation of the mass emission limits contained in subsection (b) of this Section.

d) ~~Maintenance--Repair--and--Recordkeeping:~~ The requirements of ~~subsections--(f)--and--(g)~~ of Section 212.324(f) and (g) of this Part shall also apply to this Section.

e) ~~Compliance--Date:~~ Emission units ~~sources~~ shall comply with the emissions limitations and recordkeeping and reporting requirements of this Section ~~within one year of the effective date of this Section~~ or by May 11 December 10, 1993, or upon initial start-up, whichever occurs later ~~is earlier~~.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

SUBPART R: PRIMARY AND FABRICATED METAL PRODUCTS
AND MACHINERY MANUFACTURE

Section 212.441 Steel Manufacturing Processes

Except where noted, Sections 212.321 and 212.322 of this Part shall not apply to the steel manufacturing processes subject to Sections 212.442 through 212.452 of this Subpart.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.443 Coke Plants

a) Subpart B of this Part shall not apply to coke plants.

b) Charging:

1) Uncaptured Emissions:

A) No person shall cause or allow the emission of visible particulate matter from any coke oven charging operation, from the introduction of coal into the first charge port, as indicated by the first mechanical movement of the coal

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

feeding mechanism on the larry car, to the replacement of the final charge port lid for more than a total of 125 seconds over 5 consecutive charges; provided however that 1 charge out of any 20 consecutive charges may be deemed an uncountable charge at the option of the operator.

B) Compliance with the limitation set forth in subsection (b)(1)(A) of this Section ~~above~~ shall be determined in the following manner:

i) Observation of charging emissions shall be made from any point or points on the topside of a coke oven battery from which a qualified observer can obtain an unobstructed view of the charging operation.

ii) The qualified observer shall time the visible emissions with a stopwatch while observing the charging operation. Only emissions from the charge port and any part of the larry car shall be timed. The observation shall commence as soon as coal is introduced into the first charge port as indicated by the first charge port as indicated by the first mechanical movement of the coal feeding mechanism on the larry car and shall terminate when the last charge port lid has been replaced. Simultaneous emissions from more than one emission point shall be timed and recorded as one emission and shall not be added individually to the total time.

iii) The qualified observer shall determine and record the total number of seconds that charging emissions are visible during the charging of coal to the coke oven.

iv) For each charge observed, the qualified observer shall record the total number of seconds of visible emissions, the clock time for the initiation and completion of the charging operation and the battery identification and oven number.

v) The qualified observer shall not record any emissions observed after all charging port lids have been firmly seated following removal of the larry car, such as emissions occurring when a lid has been temporarily removed to permit spilled coal to be swept into the oven.

vi) In the event that observations from a charge are interrupted the data from the charge shall be invalidated and the qualified observer shall note on his observation sheet the reason for invalidating the data. The qualified observer shall then resume observation of the next consecutive charge or charges and continue until a set of five charges has been recorded. Charges immediately preceding and following interrupted observations shall be considered

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

consecutive.

2) Emissions from Control Equipment

A) Emissions of particulate matter from control equipment used to capture emissions during charging shall not exceed 0.046 g/dscm (0.020 gr/dscf). Compliance shall be determined in accordance with the procedures set forth in 40 CFR part 60, Appendix A, Methods 1 through 5 incorporated by reference in Section 212.113 of this Part. The provisions of Section 111 of the Clean Air Act...relating to standards of performance for new stationary sources...are applicable in this State and are enforceable under ~~the Environmental Protection Act~~ the Act [415 ILCS 5/9.1(b)]. ~~1991-CH-111-112-Par-1009-11b11~~ 1-111-Rev-Stat-Protection the Act [415 ILCS 5/9.1(b)].

B) The opacity of emissions from control equipment shall not exceed an average of 20 percent, averaging the total number of readings taken. Opacity readings shall be taken at 15-second intervals from the introduction of coal into the first charge port as indicated by the first mechanical movement of the coal feeding mechanism on the larry car to the replacement of the final charge port lid. Compliance, except for the number of readings required, shall be determined in accordance with 40 CFR part 60, Appendix A, Method 9, incorporated by reference in Section 212.113 of this Part. The provisions of Section 111 of the Clean Air Act...relating to standards of performance for new stationary sources...are applicable in this State and are enforceable under ~~the Environmental Protection Act~~ the Act [415 ILCS 5/9.1(b)]. ~~Section 9-11(b)-of-the-Act~~.

C) Opacity readings of emissions from control equipment shall be taken concurrently with observations of fugitive particulate matter. Two qualified observers shall be required.

3) Qualified observers referenced in subsection (b) of this Section shall be certified pursuant to 40 CFR part 60, Appendix A, Method 9, incorporated by reference in Section 212.113 of this Part. The provisions of Section 111 of the Clean Air Act...relating to standards of performance for new stationary sources ... are applicable in this State and are enforceable under ~~the Environmental Protection Act~~ the Act [415 ILCS 5/9.1(b)]. ~~Section 9-11(b)-of-the-Act~~.

c) Pushing:

1) Uncaptured Emissions:

A) Emissions of uncaptured fugitive particulate matter from pushing operations shall not exceed an average of 20 percent opacity for 4 consecutive pushes considering the highest average of six consecutive readings in each push. Opacity readings shall be taken at 15-second intervals, beginning from the time the coke falls into the receiving car or is

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

first visible as it emerges from the coke guide whichever occurs earlier, until the receiving car enters the quench tower or quenching device. For a push of less than 90 seconds duration, the actual number of 15-second readings shall be averaged.

B) Opacity readings shall be taken by a qualified observer located in a position where the oven being pushed, the coke receiving car and the path to the quench tower are visible. The opacity shall be read as the emissions rise and clear the top of the coke battery gas mains. The qualified observer shall record opacity readings of emissions originating at the receiving car and associated equipment and the coke oven, including the standpipe on the coke side of the oven being pushed. Opacity readings shall be taken in accordance with the procedures set forth in 40 CFR part 60, Appendix A, Method 9, incorporated by reference in Section 212.113 of this Part, except that Section 2.5 for data reduction shall not be used. The qualified observer referenced in this subsection shall be certified pursuant to 40 CFR part 60, Appendix A, Method 9, incorporated by reference in Section 212.113. The provisions of Section 111 of the Clean Air Act...relating to standards of performance for new stationary sources...are applicable in this State and are enforceable under ~~the Environmental Protection Act~~ the Act [415 ILCS 5/9.1(b)]. ~~Section 9-11(b)-of-the-Act~~.

2) Emissions from Control Equipment

A) The particulate emissions from control equipment used to control emissions during pushing operations shall not exceed 0.040 pounds per ton of coke pushed. Compliance shall be determined in accordance with the procedures set forth in 40 CFR part 60, Appendix A, Methods 1-5, incorporated by reference in Section 212.113 of this Part. The provisions of Section 111 of the Clean Air Act...relating to standards of performance for new stationary sources...are applicable in this State and are enforceable under ~~the Environmental Protection Act~~ the Act [415 ILCS 5/9.1(b)]. ~~Section 9-11(b)-of-the-Act~~.

B) The opacity of emissions from control equipment used to control emissions during pushing operations shall not exceed 20%. For a push of less than six minutes duration, the actual number of 15-second readings taken shall be averaged. Compliance shall be determined in accordance with 40 CFR part 60, Appendix A, Method 9, incorporated by reference in Section 212.113 of this Part. The provisions of Section 111 of the Clean Air Act ... relating to standards of

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

performance for new stationary sources ... are applicable in this State and are enforceable under the Environmental Protection Act [415 ILCS 5/9.1(b)]. Section 2.5 of 40 CFR part 60, Appendix A, Method 9, incorporated by reference in Section 212.113 of this Part, for data reduction shall not be used for pushes of less than six minutes duration.

- d) Coke Oven Doors.
 - 1) No person shall cause or allow visible emissions from more than 10 percent of all coke oven doors at any time. Compliance shall be determined by a one pass observation of all coke oven doors on any one battery.
 - 2) No person shall cause or allow the operation of a coke oven unless there is on the plant premises at all times an adequate inventory of spare coke oven doors and seals and unless there is a readily available coke oven door repair facility.
- e) Coke Oven Lids. No person shall cause or allow visible emission from more than 5 percent of all coke oven lids at any time. Compliance shall be determined by a one pass observation of all coke oven lids.
- f) Coke Oven Offtake Piping. No person shall cause or allow visible emissions from more than 10 percent of all coke oven offtake piping at any time. Compliance shall be determined by a one pass observation of all coke oven offtake piping.
- g) Coke Oven Combustion Stack.
 - 1) No person shall cause or allow the emission of particulate matter from a coke oven combustion stack to exceed 110 mg/dscm (0.05 gr/dscf); and-
 - 2) Notwithstanding subsection (a) of this Section, Subpart B of this Part shall apply to coke oven combustion stacks. However, the limitations of Subpart B of this Part shall not apply to the coke oven combustion stack when a leak between any coke oven and the oven's vertical or crossover flue(s) is being repaired, after pushing coke from the oven is completed, but before resumption of charging. The exemption from the opacity limit shall not exceed three (3) hours per oven repaired. The owner or operator shall keep written records identifying the oven repaired, and the date, time, and duration of all repair periods. These records shall be subject to the requirements of Section 212.324(g)(4) and (g)(5) of this Part.
- h) Quenching.
 - 1) All coke oven quench towers shall be equipped with grit arrestors or equipment of comparable effectiveness. Baffles shall cover 95 percent of more of the cross sectional area of the exhaust vent or stack and must be maintained. Quench water shall not include untreated coke by-product plant effluent. All water placed on the coke being quenched shall be quench water.
 - 2) Total dissolved solids concentrations in the quench water shall

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

not exceed a weekly average of 1200 mg/l.

- 3) The quench water shall be sampled for total dissolved solids concentrations in accordance with the methods specified in Standard Methods for the Examination of Water and Wastewater, Section 209C, "Total Filtrable Residue Dried at 103-105° C," 15th Edition, 1980, incorporated by reference in Section 212.113 of this Part. Analyses shall be performed on grab samples of the quench water as applied to the coke. Samples shall be collected a minimum of five days per week per quench tower and analyzed to report a weekly concentration. The samples for each week shall be analyzed either:
 - i) Separately separately, with the average of the individual daily concentrations determined; or
 - ii) As one composite sample, with equal volumes of the individual daily samples combined to form the composite sample.
- 4) The records required under this subsection shall be kept and maintained for at least three (3) years and upon prior notice shall be available for inspection and copying by Agency representatives during work hours.
- i) Work Rules. No person shall cause or allow the operation of a by-product coke plant except in accordance with operating and maintenance work rules approved by the Agency.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.444 Sinter Processes

Emissions of particulate matter from sinter processes shall be controlled as follows:

- a) Breaker Box. No person shall cause or allow the emission of particulate matter into the atmosphere from the breaker stack of any sinter process to exceed the allowable emission rate specified by Section 212.321 of this Part.
- b) Main Windbox. No person shall cause or allow the emission of particulate matter into the atmosphere from the main windbox of any existing sinter process to exceed 1.2 times the allowable emission rate specified by Section 212.321 of this Part.
- c) Balling Mill Drum, Mixing Drum, Pug Mill and Cooler. No person shall cause or allow the emission of visible particulate matter into the atmosphere from any balling mill drum, mixing drum, pug mill or cooler to exceed 30 percent opacity.
- d) Hot and Cold Screens.
 - 1) Particulate matter emissions from all hot and cold screens shall be controlled by air pollution control equipment or an equivalent dust suppression system. Emissions from said air pollution control equipment shall not exceed 69 mg/dscm (0.03

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

gr/dscf).

- 2) ~~If provided, however, that--if~~ the owner or operator can establish that the particulate matter emissions from the hot screens and cold screens do not exceed the aggregate of the allowable emissions as specified by Section 212.321 of this Part ~~for new-emission-sources or Section 212.322 of this Part for existing-emission-sources, whichever is applicable, then subsection (d)(1) of this Section above shall not apply.~~

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.445 Blast Furnace Cast Houses

a) Uncaptured Emissions.

- 1) Emissions of ~~uncaptured fugitive~~ particulate matter from any opening in a blast furnace cast house shall not exceed 20 percent % opacity on a six (6) - minute rolling average basis beginning from initiation of the opening of the tap hole up to the point where the iron and slag stops flowing in the trough.

- 2) Opacity readings shall be taken in accordance with the observation procedures set out in 40 CFR Part 60, Appendix A, Method 9, ~~§199.7~~ incorporated by reference in Section 212.113 of this Part.

b) Emissions from Control Equipment

- 1) Particulate matter emissions from control equipment used to collect any of the emissions from the tap hole, trough, iron or slag runners or iron or slag spouts shall not exceed 0.023 gm/dscm (0.010 gr/dscf). Compliance shall be determined in accordance with the procedures set out in 40 CFR Part 60, Appendix A, Methods 1 through - 5 ~~§199.7~~, incorporated by reference in Section 212.113 of this Part, and shall be based on the arithmetic average of three runs. Calculations shall be based on the duration of a cast defined in subsection (a)(1) of this Section above.

- 2) The opacity of emissions from control equipment used to collect any of the particulate matter emissions from the tap hole, trough, iron or slag runners or iron or slag spouts shall not exceed 10 percent % on a six (6) - minute rolling average basis. Opacity readings shall be taken in accordance with the observation procedures set out in 40 CFR Part 60, Appendix A, Method 9, ~~§199.7~~ incorporated by reference in Section 212.113 of this Part.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.446 Basic Oxygen Furnaces

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Emissions of particulate matter from basic oxygen processes shall be controlled as follows:

- a) Charging, Refining and Tapping. Particulate matter emissions from all basic oxygen furnaces (BOF) shall be collected and ducted to pollution control equipment. Unless subsection (c) of this Section applies, emissions ~~from basic oxygen furnace operations during the entire cycle (operations from the beginning of the charging process through the end of the tapping process) shall not exceed the allowable emission rate specified by Section 212.321 for new-emission sources or Section 212.322 of this Part for existing-emission sources, whichever is applicable.~~ For purposes of computing the process weight rate for this subsection, nongaseous material charged to the furnace and process oxygen shall be included. No material shall be included more than once.

- b) Hot Metal Transfer, Hot Metal Desulfurization and Ladle Lancing. 1) Particulate matter emissions from hot metal transfers to a mixer or ladle, hot metal desulfurization operations and ladle lancing shall be collected and ducted to pollution control equipment, and emissions from the pollution control equipment shall not exceed 69 mg/dscm (0.03 gr/dscf).

- 2) ~~If provided, however, that--if~~ the owner or operator can establish that the total particulate matter emissions from hot metal transfers, hot metal desulfurization operations and ladle lancing operations combined do not exceed the allowable emissions as specified by Section 212.321 ~~for new-emission sources or Section 212.322 for existing-emission sources, whichever is applicable, where the process weight rate (P) is the hot metal charged to the BOF vessel, then subsection (b)(1) above shall not apply.~~

- c) No person shall cause or allow uncaptured emissions from any opening in the building housing the BOF shop to exceed an opacity of 20 percent at integrated iron and steel plants in the vicinity of Granite City, as described in Section 212.324(a)(1)(C) of this Part. Compliance with this subsection shall be determined in accordance with 40 CFR part 60, Appendix A, Method 9, incorporated by reference in Section 212.113 of this Part, except that compliance shall be determined by averaging any 12 consecutive observations taken at 15 second intervals. Compliance with this subsection is required by February 1, 1996.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.448 Electric Arc Furnaces

The total particulate emissions from meltdown and refining, charging, tapping, slagging, electrode port leakage and ladle lancing shall not exceed the allowable emission rate specified by Section 212.321 or 212.322 of this Part,

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

whichever is applicable.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.449 Argon-Oxygen Decarburization Vessels

The total particulate matter emissions from all charging, refining, alloy addition and tapping operations shall not exceed the allowable emission rate specified by Section 212.321 for new emission sources or Section 212.322 of this Part for existing emission sources, whichever is applicable.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.452 Measurement Methods

Particulate matter emissions from emission units ~~sources~~ subject to Sections 212.441 through 212.451 of this Subpart shall be determined in accordance with procedures published in 40 CFR part 60, Appendix A, Methods 1 through 5, front one-half of the sampling train, incorporated by reference in Section 212.113 of this Part. ~~42-Ped-Reg-41754-et-seq-(August-10-1977)~~ Visible emission evaluation for determining compliance shall be conducted in accordance with procedures published in 40 part CFR 60, Appendix A, Method 9, incorporated by reference in Section 212.113 of this Part. ~~-42-Ped-Reg-41754-et-seq-(August-10-1977)~~

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.455 Highlines on Steel Mills

Section 212.308 of this Part shall not apply to highlines at steel mills.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.456 Certain Small Foundries

Sections 212.321 and 212.322 of this Part shall not apply to foundry cupolas if all the following conditions are met:

- The cupola was in existence prior to April 15, 1967; and
- The cupola process weight rate is less than or equal to 20,000 lbs/b/hr; and
- The cupola as of April 14, 1972, either:
 - Is in compliance with subsection (c)(3) of this Section; or
 - Is in compliance with the terms and conditions of a variance granted by the Pollution Control Board (Board), and construction

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

has commenced on equipment or modifications sufficient to achieve compliance with subsection (c)(3) of this Section.

- Allowable emissions from small foundries covered by this Section 212.456:

Process Weight Rate
lbs/hr Pounds-Per-Hour

Allowable Average
Emission Rate
lbs/hr Pounds-Per-Hour

1,000	3.05
2,000	4.70
3,000	6.35
4,000	8.00
5,000	9.58
6,000	11.30
7,000	12.90
8,000	14.30
9,000	15.50
10,000	16.65
12,000	18.70
16,000	21.60
18,000	23.40
20,000	25.10

(Board Note: For process weight rates not listed, straight line interpolation between two consecutive process weight rates shall be used to determine allowable emission rates.)

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.457 Certain Small Iron-Melting Air Furnaces

Section 212.322 of this Part shall not apply to iron-melting air furnaces if all the following conditions are met:

- The air furnace was in existence prior to April 15, 1967, and is located in Hoopston, Vermillion County, Illinois; and
- The air furnace process weight rate is less than or equal to 5,000 lbs/b/hr; and
- The air furnace as of November 23, 1977, either:
 - Is in compliance with subsection (c)(3) of this Section; or
 - Is in compliance with the terms and conditions of a variance granted by the Board; and construction has commenced on equipment or modifications sufficient to achieve compliance with subsection (c)(3) of this Section.
- Allowable emissions from small iron-melting air furnaces covered by this Section 212.457:

Process Weight Rate Allowable Average

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

<u>lbs/hr Pounds-Per-Hour</u>	<u>Emission Rate lbs/hr Pounds-Per-Hour</u>
1,000	6.10
2,000	9.40
3,000	12.70
4,000	16.00
5,000	19.16

(Board Note: The average emission rate is computed by dividing the sum of the emissions during operation by the number of hours of operation, excluding any time during which the equipment is idle. For process weight rates not listed straight line interpolation between two consecutive process weight rates shall be used to determine allowable average emission rates.)

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.458 Emission Units Sources in Certain Areas

- a) Applicability. This Section shall apply to those emission units sources located in those areas defined in Section 212.324(a)(1) of this Part.
- b) Emission Limitation. No person shall cause or allow emissions of PM-10, other than that of fugitive particulate matter, into the atmosphere to exceed the following limits during any one hour period:
 - 1) 15.9 ng/J (0.037 lbs/mmBtu --per-mmBtu) of heat input from any fuel combustion emission unit source located at steel plant between 106th and 111th Streets in City of Chicago;
 - 2) 22.9 mg/scm (0.01 gr/scf) for the basic oxygen furnace additive systems in the Village of Riverdale;
 - 3) 4.3 ng/J (0.01 lbs/ --per mmBtu) of heat input from the burning of fuel in the soaking pits in the Village of Riverdale;
 - 4) 64.08 mg/scm (0.028 gr/scf) from the electrostatic precipitator discharge of the basic oxygen process in the Village of Riverdale;
 - 5) 45.8 mg/scm (0.02 gr/scf) from the pickling process at a steel plant in the Village of Riverdale;
 - 6) 5 percent * opacity for coal handling systems equipped with fabric filter(s) at steel plant located in the City of Chicago;
 - 7) 22.9 mg/scm (0.01 gr/scf) from any process emission unit emissions--source located at integrated iron and steel plants in the vicinity of Granite City, as defined in Section 212.324(a)(1)(C) of this Part, except as otherwise provided in this Section or in Sections 212.443 and 212.446 of this Subpart;
 - 8) 5 percent * opacity for continuous caster spray chambers or continuous casting operations at steel plants in the vicinity of Granite City, as defined in Section 212.324(a)(1)(C) of this

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- Subpart;
- 9) 32.25 ng/J (0.075 lbs/permmBtu) of heat input from the burning of coke oven gas at all emission units sources, other than coke oven combustion stacks, at steel plants in the vicinity of Granite City, as defined in Section 212.324(a)(1)(C) of this Subpart;
 - 10) 38.7 ng/J (0.09 lbs/r-permmBtu) of heat input from the slab furnaces at steel plants in the vicinity of Granite City, as defined in Section 212.324(a)(1)(C) of this Subpart;
 - 11) 22.9 mg/scm (0.01 gr/scf) for all process emission units emissions--sources at secondary lead processing plant located in Granite City, except the salt flux crusher;
 - 12) 22.9 mg/scm (0.01 gr/scf) for any melting furnace at secondary aluminum smelting and refining plant in the vicinity of Granite City, as defined in Section 212.324(a)(1)(C) of this Subpart;
 - 13) 45.8 mg/scm (0.02 gr/scf) from No. 6 mill brusher, and metal chip handling system at secondary aluminum smelting and refining plant located in the vicinity of Granite City, as defined in Section 212.324(a)(1)(C) of this Subpart;
 - 14) 0.05 kg/Mg (0.01 lb/T) of sand processed from molding sand forming systems at a steel foundry plant located in Granite City;
 - 15) 0.01 kg/Mg (0.02 lbs/T) of sand processed from recycle sand shakeouts at steel foundry plant located in Granite City;
 - 16) At a steel foundry plant located in Granite City:
 - A) 20 percent opacity for all emission units;
 - B) 22.9 mg/scm (0.01 gr/scf) for all other process emission units emissions--sources-at-steel-foundry--plant--in--Granite City, except the sand dryer, sand cooler, chill tumbler, paint booth, chromite reclamation reclaimatin--and, core baking ovens, electric arc shop roof ventilators, and emission units listed in subsections (b)(14) and (b)(15) of this Section;
 - 17) 41.2 mg/scm (0.018 gr/scf) for cold rolling mill emission units emissions--sources at metal finishing plant located in the Village of McCook;
 - 18) 21.5 ng/J (0.005 lbs/mmBtu) of heat input from the burning of fuel in any process emission unit source at a secondary aluminum smelting and refining plant and/or aluminum finishing plant;
 - 19) 22.9 mg/scm (0.01 gr/scf) from dross pad, dross cooling, and dross mixing units sources at a secondary aluminum smelting and refining plant and/or aluminum finishing plant;
 - 20) 12.9 ng/J (0.03 lbs/mmBtu) of heat input from any fuel combustion emission unit source that heats air for space heating purposes at a secondary aluminum smelting and refining plant located in the vicinity of Granite City, as defined in Section 212.324(a)(1)(C) of this Part;
 - 21) 68.7 mg/scm (0.03 gr/scf) for any holding furnace at a secondary aluminum smelting and refining plant in the vicinity of Granite City, as defined in Section 212.324(a)(1)(C) of this Part;

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 22) 2.15 ng/J (0.005 lb/lbs-permbtu) of heat input from the steel works boilers located at the steel making facilities at steel plant in the vicinity of Granite City, as defined in Section 212.324(a)(1)(C);
- 23) 27.24 ~~31-1~~ kg/hr (60 ~~68-5~~ lbs/hr) and 0.1125 kg/Mg (.225 lbs/T) of steel produced, whichever limit is more stringent for the total of all basic oxygen furnace processes described in Section 212.446(a) of this Subpart and measured at the BOP stack located at steel plant in the vicinity of Granite City, as defined in Section 212.324(a)(1)(C) of this Part;
- 24) North and south melting South Furnaces at a secondary aluminum smelting and refining plant located in the vicinity of Granite City, as defined in Section 212.324(a)(1)(C) of this Part, cannot be operated simultaneously;
- 25) Magnesium pot furnaces at a secondary aluminum smelting and refining plant located in the vicinity of Granite City, as defined in Section 212.324(a)(1)(C) of this Part, can be operated two lines ~~only-one-time~~ at a time;
- 26) 2.15 ng/J (0.005 lbs/mmBtu) of heat input from any fuel combustion emission unit source at a secondary aluminum smelting and refining plant and/or aluminum finishing plant except as provided in subsection (b)(20) of this Section;
- 27) 91.6 mg/scm (0.040 gr/scf) and 0.45 kg/hr (1 lb/hr) for melting furnaces Nos. 6, 7, and 8 at a metal finishing plant in the Village of McCook, with operation limited to no more than two of these furnaces at one time;
- 28) 183 mg/scm (0.080 gr/scf) and 0.91 kg/hr (2 lbs/hr) for holding furnaces Nos. 6, 7, and 8 at a metal finishing plant in the Village of McCook, with operation limited to no more than two of these furnaces at one time;
- 29) 54.9 mg/scm (0.024 gr/scf) and 1.81 kg/hr (4 lbs/hr) for melting furnaces Nos. 24, 25, and 26 at a metal finishing plant in the Village of McCook;
- 30) 34.3 mg/scm (0.015 gr/scf) and 1.81 kg/hr (4 lbs/hr) for melting furnaces Nos. 27, 28, 29, and 30 at a metal finishing plant in the Village of McCook;
- 31) 32.0 mg/scm (0.014 gr/scf) and 0.45 kg/hr (1 lb/hr) for holding furnaces Nos. 24, 25, and 26 at a metal finishing plant in the Village of McCook, except that during fluxing operation those furnaces may emit 195 mg/scm (0.085 gr/scf) and 2.72 kg/hr (6 lb/hr);
- 32) 34.3 mg/scm (0.015 gr/scf) and 0.45 kg/hr (1 lb/hr) for holding furnaces Nos. 27, 28, 29, and 30 at a metal finishing plant in the Village of McCook, except that during fluxing operation those furnaces may emit 217 mg/scm (0.095 gr/scf) and 2.72 kg/hr (6 lb/hr);
- 33) Fluxing operations at holding furnaces Nos. 24, 25, 26, 27, 28, 29, and 30 at a metal finishing plant in the Village of McCook

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- c) shall be limited to no more than three at any one time. Exceptions. The mass emission limits contained in subsection (b) of this Section shall not apply to those emission units sources with no visible emissions other than that of fugitive particulate matter; however, if a stack test is performed, this subsection is not a defense to a finding of a violation of the mass emission limits contained in subsection (b) of this Section.
- d) Maintenance, Repair, and Recordkeeping. The requirements of subsections (f) and (g) of Section 212.324(f) and (g) of this Part shall also apply to this Section.
- e) Compliance Date. Compliance with this Section is required by December 10, 1993, or upon initial start-up, whichever occurs later.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

SUBPART S: AGRICULTURE

Section 212.461 Grain-Handling and Drying in General

- a) Sections 212.302(a), 212.321, and 212.322 of this Part shall not apply to grain-handling and grain-drying operations, portable grain-handling equipment facilities and one-turn storage space.
- b) Housekeeping Practices. All grain-handling and grain-drying operations, regardless of size, must implement and use the following housekeeping practices:
- 1) Air pollution control devices shall be checked daily and cleaned as necessary to insure proper operation.
 - 2) Cleaning and Maintenance.
 - A) Floors shall be kept swept and cleaned from boot pit to cupola floor. Roof or bin decks and other exposed flat surfaces shall be kept clean of grain and dust that would tend to rot or become airborne.
 - B) Cleaning shall be handled in such a manner as not to permit dust to escape to the atmosphere.
 - C) The yard and surrounding area, including but not limited to ditches and curbs, shall be cleaned to prevent the accumulation of rotting grain.
 - 3) Dump Pit.
 - A) Aspiration equipment shall be maintained and operated.
 - B) Dust control devices shall be maintained and operated.
 - 4) Head House. The head house shall be maintained in such a fashion that visible quantities of dust or dirt are not allowed to escape to the atmosphere.
 - 5) Property. The yard and driveway of any source facility shall be asphalted, oiled or equivalently treated to control dust.
 - 6) Housekeeping Check List. Housekeeping check lists to be developed by the Agency shall be completed by the manager and

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

c) maintained on the premises for inspection by Agency personnel.

Exemptions. Any existing grain-handling operation for which construction or modification commenced prior to June 30, 1975, having a grain throughput of not more than 2 million bushels per year and located inside a major population area and any existing grain-handling operation or existing grain-drying operation for which construction or modification commenced prior to June 30, 1975, located outside of a major population area which is required to apply for a permit pursuant to Sections 212.462 and 212.463 of this Subpart, respectively, shall receive such permit notwithstanding the control requirements of those respective rules provided said operation can demonstrate that the following conditions exist upon application for, or renewal of, an operating permit:

- 1) The requirements of subsection (b) of this Section are being met; and
- 2) No certified investigation is on file with the Agency indicating that there is an alleged violation prior to issuance of the permit.
 - A) If a certified investigation is on file with the Agency indicating an alleged violation, any applicant may obtain an exemption for certain operations if said applicant can prove to the Agency that those parts of his operation for which he seeks exemption are not the probable cause of the alleged violation.
 - B) Applicants requesting an exemption in accordance with the provisions of subsection (c)(2)(A) of this Section may be granted an operating permit for a limited time, not to exceed twelve (12) months in duration, if an objection is on file with the Agency on which a certified investigation has not been made prior to issuance of the permit.
 - C) An applicant may consider denial of an exemption under this rule as a refusal by the Agency to issue a permit. This shall entitle the applicant to appeal the Agency's decision to the Board pursuant to Section 40 of the Act [415 ILCS 5/40] (11-1-1981-Stat--1981-Chr--111-127-Par--10407).
- d) Loss of Exemption. Any existing grain-handling operation or existing grain-drying operation for which construction or modification commenced prior to June 30, 1975, that has received an operating permit pursuant to the provisions of subsection (c) of this Section above shall apply for an operating and/or construction permit pursuant to 35 Ill. Adm. Code 201 within sixty (60) days after receipt of written notice from the Agency that a certified investigation is on file with the Agency indicating that there is an alleged violation against the operation. The construction permit application shall include a compliance plan and project completion schedule showing the grain-handling operation's program or grain-drying operations program for complying with the standards and limitations of Section 212.462 or 212.463 of this Subpart as the case

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

may be, within a reasonable time after the date on which notice of a certified investigation indicating alleged pollution was received by said operation; provided, however, any such operation shall not be required by reduce emissions from those parts of the operation that the applicant can prove to the Agency are not the probable cause of the pollution alleged in the certified investigation.

- 1) The written notice of loss of exemption is not a final action of the Agency appealable to the Board.
- 2) Denial of a permit requested pursuant to this subsection (d) is a final action appealable to the Board under Section 40 of the Act [415 ILCS 5/40] (11-1-1981-Stat--1981-Chr--111-127-Par--10407).
- e) Circumvention. It shall be a violation of this regulation for any person or persons to attempt to circumvent the requirements of this regulation by establishing a pattern of ownership or source facility development which, except for such pattern of ownership or source facility development, would otherwise require application of Section 212.462 or 212.463 of this Subpart.
- f) Standard on Appeal to Board. In ruling on any appeal of a permit denial under subsection (c) or (d) 212-462 or 212-463 of this Section, the Board shall not order the permit to be issued by the Agency unless the applicant who has appealed the permit denial has proved to the Board that the grain-handling operation or grain-drying operation which is the subject of the denied application is not injurious to human, plant or animal life, to health, or to property, and does not unreasonably interfere with the enjoyment of life or property.
- g) Alternate Control of Particulate Emissions.
 - 1) Grain-handling or grain-drying operations, which were in numerical compliance with Section 212.322 of this Part, as of April 14, 1972, and continue to be in compliance with Section 212.322 of this Part need not comply with the provisions under this Subpart, except the housekeeping practices in this subsection (b) and this subsection (b) of this Section (g).
 - 2) Grain-handling or grain-drying operations, which were not in numerical compliance with Section 212.322 of this Part, as of April 14, 1972, but which came into compliance with Section 212.321 of this Part prior to April 14, 1972, and continue to be in compliance with Section 212.321 of this Part need not comply with the provisions under this Subpart, except the housekeeping practices in this subsection (b) and in this subsection (b) of this Section (g).
 - 3) Proof of compliance with said rule shall be made by stack sampling and/or material balance results obtained from actual testing of the subject emission unit facility or process and be submitted at the time of an application for, or renewal of, an operating permit.
- h) Severability. If any provision of these rules and regulations is

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

adjudged invalid, such invalidity shall not affect the validity of this 35 Ill. Adm. Code, Subtitle B, Chapter I (Chapter) as a whole or of any Part, Subpart, sentence or clause thereof not adjudged invalid.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.462 Grain-Handling Operations

Unless otherwise exempted pursuant to Section 212.461(c) or (d) of this Subpart, or allowed to use alternate control according to Section 212.461(g) of this Subpart, existing grain-handling operations with a total annual grain through-put of 300,000 bushels or more shall apply for an operating permit pursuant to 35 Ill. Adm. Code 201, and shall demonstrate compliance with the following:

- a) Cleaning and Separating Operations.
 - 1) Particulate matter generated during cleaning and separating operations shall be captured to the extent necessary to prevent visible particulate matter emissions directly into the atmosphere.
 - 2) For grain-handling sources facilities having a grain through-put of not more than 2 million bushels per year or located outside a major population area, air contaminants collected from cleaning and separating operations shall be conveyed through air pollution control equipment which has a rated and actual particulate removal efficiency of not less than 90 percent $\%$ by weight prior to release into the atmosphere.
 - 3) For grain-handling sources facilities having a grain through-put exceeding 2 million bushels per year and located within a major population area, air contaminants collected from cleaning and separating operations shall be conveyed through air pollution control equipment which has a rated and actual particulate removal efficiency of not less than 98 percent $\%$ by weight prior to release into the atmosphere.
- b) Major Dump-Pit Area.
 - 1) Induced Draft.
 - A) Induced draft shall be applied to major dump pits and their associated equipment (including, but not limited to, boots, hoppers and legs) to such an extent that a minimum face velocity is maintained, at the effective grate surface, sufficient to contain particulate emissions generated in unloading operations. The minimum face velocity at the effective grate surface shall be at least 200 fpm, which shall be determined by using the equation:

$$V = Q/A$$

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

where:

V = face velocity; and

Q = induced draft volume in scfm; and

A = effective grate area in $\text{ft}(2)$ square-feet; and

- B) The induced draft air stream for grain-handling sources facilities having a grain through-put of not more than 2 million bushels per year or located outside a major population area shall be confined and conveyed through air pollution control equipment which has an overall rated and actual particulate collection efficiency of not less than 90 percent $\%$ by weight; and
 - C) The induced draft air stream for grain-handling sources facilities having a grain through-put exceeding 2 million bushels per year and located in a major population area shall be confined and conveyed through air pollution control equipment which has an overall rated and actual particulate collection efficiency of not less than 98 percent $\%$ by weight; and
 - D) Means or devices (including, but not limited to, quick-closing doors, air curtains or wind deflectors) shall be employed to prevent a wind velocity in excess of 50 percent $\%$ of the induced draft face velocity at the pit; provided, however, that such means or devices do not have to achieve the same degree of prevention when the ambient air wind exceeds 25 mph. The wind velocity shall be measured, with the induced draft system not operating, at a point midway between the dump-pit area walls at the point where the wind exits the dump-pit area, and at a height above the dump-pit area floor of approximately 2 ft feet; or
 - 2) Any equivalent method, technique, system or combination thereof adequate to achieve, at a minimum, a particulate matter emission reduction equal to the reduction which could be achieved by compliance with subsection (b)(1) of this Section.
- c) Internal Transferring Area.
- 1) Internal transferring area shall be enclosed to the extent necessary to prohibit visible particulate matter emissions directly into the atmosphere.
 - 2) Air contaminants collected from internal transfer operations for grain-handling sources facilities having a grain through-put of not more than 2 million bushels per year or located outside a major population area shall be conveyed through air pollution control equipment which has a rated and actual particulate removal efficiency of not less than 90 percent $\%$ by weight prior to release into the atmosphere.
 - 3) Air contaminants collected from internal transfer operations for grain-handling sources facilities having a grain through-put

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

exceeding 2 million bushels per year and located in a major population area shall be conveyed through air pollution control equipment which has a rated and actual particulate removal efficiency of not less than 98 percent $\frac{1}{2}$ by weight prior to release into the atmosphere.

d) Load-Out Area.

- 1) Truck and hopper car loading shall employ socks, sleeves or equivalent devices which extend 6 inches below the sides of the receiving vehicle, except for topping off. Choke loading shall be considered an equivalent method as long as the discharge is no more than 12 inches above the sides of the receiving vehicle.
- 2) Box car loading shall employ means or devices to prevent the emission of particulate matter into the atmosphere to the fullest extent which is technologically and economically feasible.
- 3) Watercraft Loading.

A) Particulate matter emissions generated during loading for grain-handling sources facilities having a grain through-put of not more than 2 million bushels per year or located outside a major population area shall be captured in an induced draft air stream, which shall be ducted through air pollution control equipment that has a rated and actual particulate matter removal efficiency of not less than 90 percent $\frac{1}{2}$ by weight prior to release into the atmosphere.

B) Particulate matter emissions generated during loading for grain-handling sources facilities having a grain through-put exceeding 2 million bushels per year and located in a major population area shall be captured in an induced draft air stream, which shall be ducted through air pollution control equipment that has a rated and actual particulate removal efficiency of not less than 98 percent $\frac{1}{2}$ by weight prior to release into the atmosphere; except for the portion of grain loaded by trimming machines for which particulate matter emission reductions, at a minimum, shall equal the reduction achieved by compliance with subsection (d)(3)(A) of this Section.

e) New and Modified Grain-Handling Operations. Grain New-and--modified grain-handling operations for which construction or modification commenced on or after June 30, 1975, shall file applications for construction and operating permits pursuant to 35 Ill. Adm. Code 201, and shall comply with the control equipment requirements of this Section, except for new-and-modified grain-handling operations for which construction or modification commenced on or after June 30, 1975, which will handle an annual grain through-put of less than 300,000 bushels; provided, however, that for the purpose of this Subpart, an increase in the annual grain through-put, without physical alterations or additions to the grain-handling operation, shall not be considered a modification unless such increase exceeds

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

30 percent $\frac{1}{2}$ of the annual grain through-put on which the operation's original construction and/or operating permit was granted. If the grain-handling operation has been operating lawfully without a permit, its annual grain through-put shall be determined as set forth in the definition of the term "annual grain through-put."

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.463 Grain Drying Operations

Unless otherwise exempted pursuant to Section 212.461(c) or (d) of this Subpart or allowed to use alternate control according to Section 212.461(g) of this Subpart, existing grain-drying operations for which construction or modification commenced prior to June 30, 1975, with a total grain-drying capacity in excess of 750 bushels per hour for 5 percent $\frac{1}{2}$ moisture extraction at manufacturer's rated capacity (using the American Society of Agricultural Engineers Standard 248.2, Section 9, Basis for Stating Drying Capacity of Batch and Continuous-Flow Grain Dryers, incorporated by reference in Section 212.113 of this Part) shall be operated in such a fashion as to preclude the emission of particulate matter larger than 300 microns mean particle diameter, shall apply for an operating permit pursuant to 35 Ill. Adm. Code 201, and shall comply with the following:

a) Column Dryers. The largest effective circular diameter of transverse perforations in the external sheeting of a column dryer shall not exceed 0.094 inch, and the grain inlet and outlet shall be enclosed.

b) Rack Dryers. No portion of the exhaust air of rack dryers shall be emitted to the ambient atmosphere without having passed through a particulate collection screen having a maximum opening of 50 mesh, U.S. Sieve Series.

1) All such screens will have adequate self-cleaning mechanisms, the exhaust gas of which for grain-handling facilities having a grain through-put of not more than 2 million bushels per year or located outside a major population area shall be ducted through air pollution control equipment which has a rated and actual particulate removal efficiency of 90 percent $\frac{1}{2}$ by weight prior to release into the atmosphere.

2) All such screens will have adequate self-cleaning mechanisms, the exhaust gas of which for grain-handling sources facilities having a grain through-put exceeding 2 million bushels per year and located in a major population area shall be ducted through air pollution control equipment which has a rated and actual particulate removal efficiency of 98 percent $\frac{1}{2}$ by weight prior to release into the atmosphere.

c) Other Types of Dryers. All other types of dryers shall be controlled in a manner which shall result in the same degree of control required for rack dryers pursuant to subsection (b) of this Section.

d) New and Modified Grain-Drying Operations. Grain New-and--modified

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

grain-drying operations constructed or modified on or after June 30, 1975, shall file applications for construction and operating permits pursuant to 35 Ill. Adm. Code 201, and shall comply with the control equipment requirements of this Section, except for new and modified grain-drying operations which do not result in a total grain-drying capacity in excess of 750 bushels per hour for 5 percent moisture extraction at manufacturer's rated capacity, using the American Society of Agricultural Engineer Standard 248.2, Section 9, Basis for Stating Drying Capacity of Batch and Continuous-Flow Grain Dryers.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 212.464 Sources in Certain Areas

a) Applicability. Notwithstanding Section 212.461 of this Subpart, this Section shall apply to those sources located in the Lake Calumet area as defined in Section 212.324(a)(1)(B) of this Part.

b) Emission Limitations

1) No person shall cause or allow the emission of PM-10, other than that of fugitive particulate matter, into the atmosphere to exceed 22.9 mg/scm (0.01 gr/scf) during any one hour period from any process emission unit emissions-source engaged in the drying, storing, mixing or treating of grain except for column grain dryers; in addition, no person shall cause or allow visible emissions of PM-10 other than fugitive particulate matter from grain conveying, transferring, loading, or unloading operations including garners, scales and cleaners.

2) No person shall cause or allow the emission of fugitive particulate matter into the atmosphere from barges and other watercraft, truck or rail loading or unloading systems to exceed the limits specified in Section 212.123 of this Part.

3) Column grain dryers shall not be eligible for the exemptions as provided in Section 212.461(g) of this Part.

c) Exceptions. The mass emission limits contained in subsection (b) of this Section shall not apply to those sources with no visible emissions other than that of fugitive particulate matter; however, if a stack test is performed, this subsection is not a defense to a finding of a violation of the mass emission limits contained in subsection (b) of this Section.

d) Maintenance, Repair, and Recordkeeping. The requirements of subsections (f) and (g) of Section 212.324(f) and (g) of this Part shall also apply to this Section.

e) Compliance Date. Emission units Sources shall comply with the emissions limitations and recordkeeping and reporting requirements of this Section May 11 within one year following the effective date of this Section or by December 10, 1993, or upon initial start-up, whichever occurs later is earlier.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

(Source: Amended at 20 Ill. Reg. _____, effective _____)

SUBPART T: CONSTRUCTION AND WOOD PRODUCTS

Section 212.681 Grinding, Woodworking, Sandblasting and Shotblasting

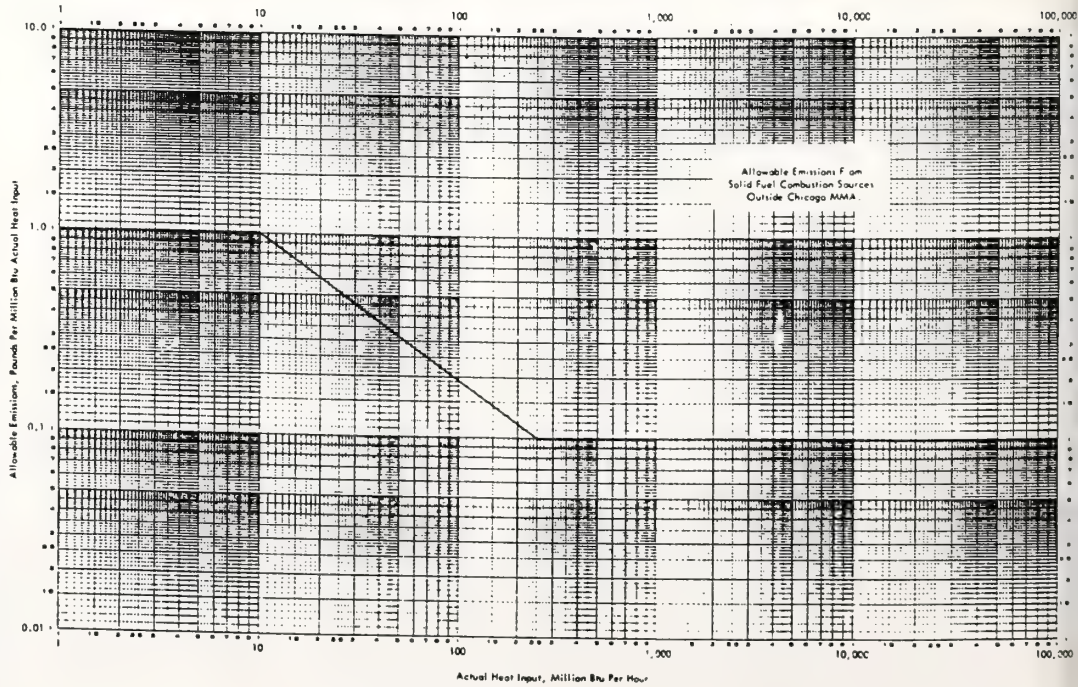
Sections 212.321 and 212.322 of this Part shall not apply to the following industries, which shall be subject to Subpart K of this Part:

- a) Grinding;
- b) Woodworking; and
- c) Sandblasting or shotblasting.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Section 212. ILLUSTRATION A Allowable Emissions from Solid Fuel Combustion
Emission Sources Outside Chicago (Repealed)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

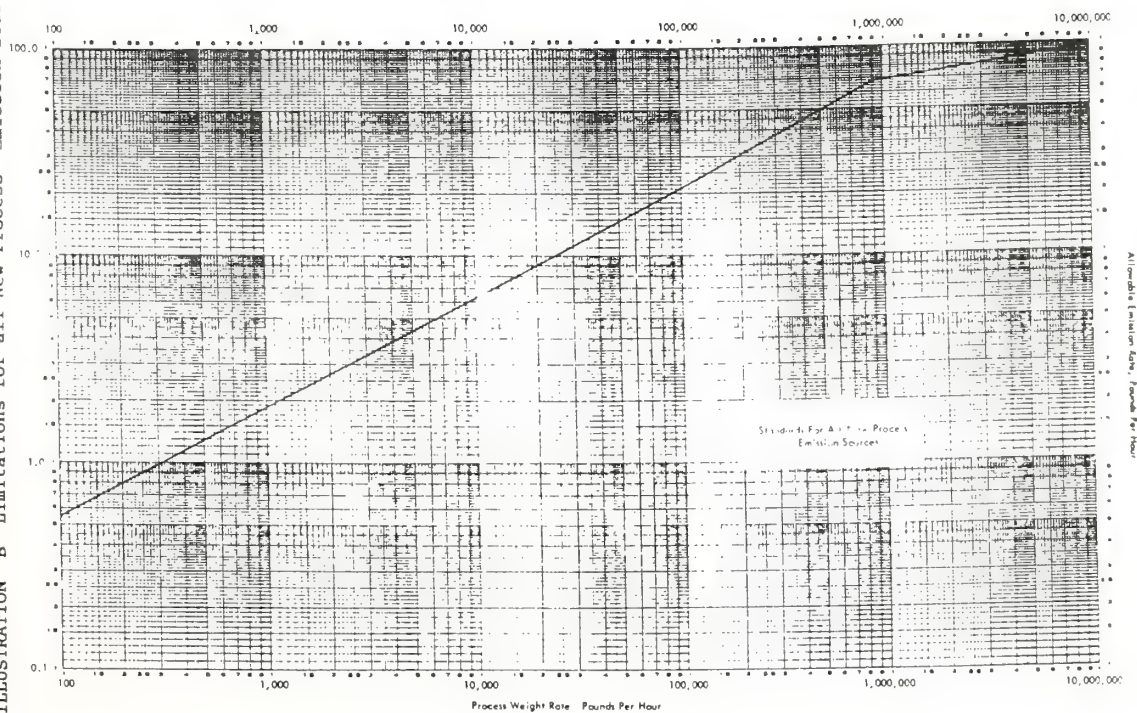
(Source: Repealed at 20 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD
NOTICE OF PROPOSED AMENDMENTS

(Source: Repealed at 20 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD
NOTICE OF PROPOSED AMENDMENTS

Section 212. ILLUSTRATION B Limitations for all New Process Emission Sources
(Repealed)

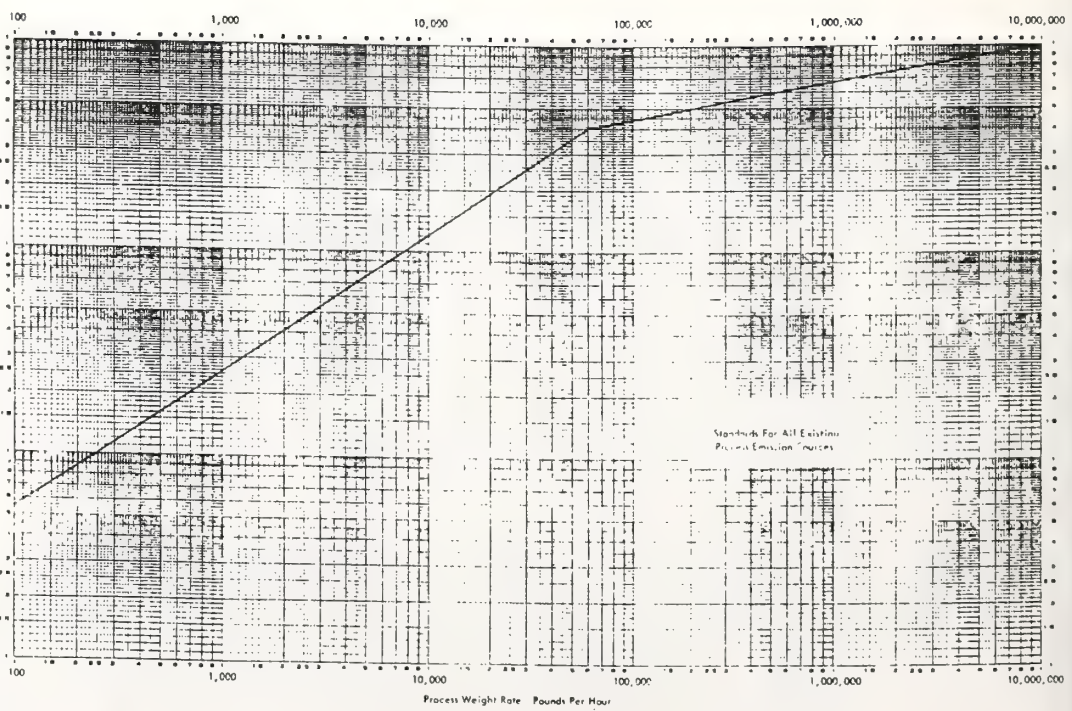


POLLUTION CONTROL BOARD
NOTICE OF PROPOSED AMENDMENTS

(Source: Repealed at 20 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD
NOTICE OF PROPOSED AMENDMENTS

Section 212. ILLUSTRATION C Limitations for all Existing Process Emission Sources (Repealed)



DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

1) Heading of the Part: Clinical Social Work and Social Work Practice Act

2) Code Citation: 68 Ill. Adm. Code 1470

3) Section Numbers: Proposed Action:

1470.95 Amendment
1470.96 New Section

4) Statutory Authority: 225 ILCS 20/5, 11 and 19

5) A Complete Description of the Subjects and Issues Involved: This rulemaking adds a new Section titled "Unethical, Unauthorized and Unprofessional Conduct" and amends the Continuing Education (CE) Section to allow credit for completion of self-study courses.

Section 19 of the Act authorizes the Department of Professional Regulation to suspend or revoke a license, refuse to issue or renew a license or take other disciplinary action based on its finding of "unethical, unauthorized, or unprofessional conduct". The proposed new Section interprets what constitutes such conduct. It also incorporates by reference the codes of ethics of the National Association of Social Workers and the National Federation of Societies for Clinical Social Work.

The proposed amendments to the continuing education Section will allow credit for completion of self-study courses offered by approved CE sponsors. Each self-study course must include an examination.

6) Will these proposed amendments replace emergency amendments currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed amendments contain incorporations by reference? Yes, the codes of conduct of the National Association of Social Workers and the National Federation of Societies for Clinical Social Work are incorporated by reference in Section 1470.96(q) and (r).

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives (if applicable): This rulemaking has no impact on local government.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments to:

Department of Professional Regulation
Attention: Jean A. Courtney

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

320 West Washington, 3rd Floor
Springfield, IL 62786
(217) 785-0800 or Fax #: (217) 782-7645

All written comments received within 45 days of this issue of the *Illinois Register* will be considered.

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: Those employing licensed social workers or clinical social workers and those providing continuing education programs in the field of social work.

B) Reporting, bookkeeping or other procedures required for compliance: No additional reporting or bookkeeping requirements are necessary for compliance, but licensed social workers and clinical social workers will need to be familiar with code of conduct interpretations set forth in this rulemaking.

C) Types of professional skills necessary for compliance: Social Worker skills are necessary for licensure.

13) Regulatory Agenda on which this rulemaking was summarized: January 1995

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

TITLE 68: PROFESSIONS AND OCCUPATIONS
 CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
 SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1470

CLINICAL SOCIAL WORK AND SOCIAL WORK PRACTICE ACT

Section	
1470.5	Grandfather Provisions (Repealed)
1470.7	Temporary License (Repealed)
1470.10	Applications
1470.20	Professional Experience
1470.30	Approved Colleges, Universities, and Graduate Schools of Social Work Programs
1470.40	Employer's Affidavit (Repealed)
1470.50	Admission to Examination (Repealed)
1470.60	Endorsement
1470.70	Examinations
1470.80	Restoration
1470.90	Renewals
1470.95	Continuing Education
1470.96	Unethical, Unauthorized and Unprofessional Conduct
1470.100	Granting Variances

AUTHORITY: Implementing the Clinical Social Work and Social Work Practice Act [225 ILCS 20] and authorized by Section 60(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/60(7)].

SOURCE: Rules for the Administration of the Social Workers Registration Act, effective November 18, 1971; amendment effective September 25, 1975; amended at 5 Ill. Reg. 946, effective January 15, 1981; codified at 5 Ill. Reg. 11067; amended at 5 Ill. Reg. 14171, effective December 3, 1981; emergency amendment at 6 Ill. Reg. 916, effective January 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 7448, effective June 15, 1982; amended at 7 Ill. Reg. 9392, effective July 26, 1983; amended at 10 Ill. Reg. 19093, effective October 28, 1986; amended at 11 Ill. Reg. 9945, effective May 12, 1987; transferred from Chapter I, 68 Ill. Adm. Code 470 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1470 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2981; emergency amendments at 13 Ill. Reg. 5771, effective April 5, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 13867, effective August 22, 1989; amended at 16 Ill. Reg. 7009, effective April 16, 1992; amended at 18 Ill. Reg. 2370, effective January 28, 1994; amended at 20 Ill. Reg. _____, effective _____.

Section 1470.95 Continuing Education

- a) Continuing Education Hours Requirements

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

- 1) Beginning with the November 30, 1993, license renewal and every renewal thereafter, every licensee who applies for renewal of a license as a social worker or clinical social worker shall complete 30 hours of continuing education (CE) relevant to the practice of social work or clinical social work.
- 2) A prerenewal period is the 24 months preceding November 30 of each odd-numbered year.
- 3) CE requirements shall be the same for licensed social workers and licensed clinical social workers.
- 4) One CE hour shall equal one clock hour.
- 5) Courses that are part of the curriculum of a university, college or other educational institution shall be allotted CE credit at the rate of 15 CE hours for each semester hour or 10 CE hours for each quarter hour of school credit awarded.
- 6) A renewal applicant shall not be required to comply with CE requirements for the first renewal of an Illinois license.
- 7) Social workers or clinical social workers licensed in Illinois but residing and practicing in other states shall comply with the CE requirements set forth in this Section.
- b) Approved Continuing Education (CE)
 - 1) CE hours shall be earned by verified attendance (e.g., certificate of attendance or certificate of completion) at or participation in a program or course ("program") that which is offered or sponsored by an approved continuing education sponsor who meets the requirements set forth in subsection (c) below, except for those activities provided in subsections (b)(2), (3) and (4) below.
 - 2) CE credit also may be earned for completion of a self-study course that is offered by an approved sponsor who meets the requirements set forth in subsection (c) below. Each self-study course shall include an examination.
 - 3) CE credit may be earned through postgraduate training programs (e.g., extern, residency or fellowship programs) or completion of social work related courses that which are a part of the curriculum of a college, university or graduate school of social work.
 - 4) CE credit may be earned for verified teaching in a college, university or graduate school of social work approved in accordance with Section 1470.30 and/or as an instructor of continuing education programs given by approved sponsors. Credit will be applied at the rate of 1.5 hours for every hour taught and only for the first presentation of the program (i.e., credit shall not be allowed for repetitious presentations of the same program).
 - 5) CE credit may be earned for authoring papers, publications or books and for preparing presentations and exhibits. The preparation of each published paper, book chapter or audio-visual presentation dealing with social work or clinical social work may

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

be claimed as 5 hours of credit. A presentation must be before a professional audience of social workers, clinical social workers, psychologists or professional counselors. Five credit hours may be claimed for only the first time the information is published or presented.

c) Approved CE Sponsors and Programs

- 1) Sponsor, as used in this Section, shall mean a person, firm, association, corporation or any other group that which has been approved and authorized by the Department upon recommendation of the Board to coordinate and present continuing education courses or programs.
- 2) Entities seeking approval as CE sponsors shall file an application, on forms supplied by the Department, along with the \$500 application fee. (State agencies, State colleges and State universities in Illinois shall be exempt from paying this fee.) The applicant shall certify on the application the following:

A) That all programs offered by the sponsor for CE credit will comply with the criteria in subsection (c)(3) and all other criteria in this Section. A sponsor shall be required to submit a CE program with course materials for review prior to being approved as a CE sponsor;

B) That the sponsor will be responsible for verifying attendance at each program and provide a certificate of attendance as set forth in subsection (c)(9);

C) That upon request by the Department, the sponsor will submit evidence (e.g., certificate of attendance or course materials) as is necessary to establish compliance with this Section. Evidence shall be required when the Department has reason to believe that there is not full compliance with the statute and this Part and that this information is necessary to ensure compliance;

B) That each sponsor shall submit to the Department written notice of program offerings 30 days prior to course dates. Notice shall include the description, location, date and time of the program to be offered;

3) All programs shall:

- A) Contribute to the advancement, extension and enhancement of the professional skills and scientific knowledge of the licensee in the practice of social work or clinical social work;
- B) Foster the enhancement of general or specialized social work or clinical social work practice and values;
- C) Be developed and presented by persons with education and/or experience in the subject matter of the program;
- D) Specify the course objectives, course content and teaching methods to be used; and
- E) Specify the number of CE hours that may be applied to fulfilling the Illinois CE requirements for license renewal.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

- 4) Each CE program shall provide a mechanism for evaluation of the program by the participants. The evaluation may be completed on-site immediately following the program presentation or an evaluation questionnaire may be distributed to participants to be completed and returned by mail. The sponsor and the instructor, together, shall review the evaluation outcome and revise subsequent programs accordingly.
- 5) An approved sponsor may subcontract with individuals and organizations to provide approved programs.
- 6) All programs given by approved sponsors shall be open to all licensed social workers and licensed clinical social workers and not be limited to members of a single organization or group.
- 7) Continuing education credit hours used to satisfy the CE requirements of another jurisdiction may be applied to fulfill the CE requirements of the State of Illinois.
- 8) To maintain approval as a sponsor, each shall submit to the Department by November 30 of each odd-numbered year a renewal application, a \$100 fee and a list of courses and programs offered within the last 24 months. The list shall include a brief description, location, date and time of each course given.
- 9) Certification of Attendance. It shall be the responsibility of a sponsor to provide each participant in a program with a certificate of attendance or participation. The sponsor's certificate of attendance shall contain:
 - A) The name, address and license number of the sponsor;
 - B) The name and address of the participant;
 - C) A brief statement of the subject matter;
 - D) The number of hours attended in each program;
 - E) The date and place of the program; and
 - F) The signature of the sponsor.
- 10) The sponsor shall maintain attendance records for not less than 5 years.
- 11) The sponsor shall be responsible for assuring that no renewal applicant shall receive CE credit for time not actually spent attending the program.
- 12) Upon the failure of a sponsor to comply with any of the foregoing requirements, the Department, after notice to the sponsor and hearing before and recommendation by the Board (see 68 Ill. Adm. Code 110), shall thereafter refuse to accept for CE credit attendance at or participation in any of that sponsor's CE programs until such time as the Department receives assurances of compliance with this Section.
- 13) Notwithstanding any other provision of this Section, the Department or Board may evaluate any sponsor of any approved CE program at any time to ensure compliance with requirements of this Section.

d) Certification of Compliance with CE Requirements

- 1) Each renewal applicant shall certify, on the renewal application,

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

full compliance with the CE requirements set forth in subsections (a) and (b) above.

2) The Department may require additional evidence demonstrating compliance with the CE requirements (e.g., certificate of attendance). This additional evidence shall be required in the context of the Department's random audit. It is the responsibility of each renewal applicant to retain or otherwise produce evidence of compliance.

3) When there appears to be a lack of compliance with CE requirements, an applicant shall be notified in writing and may request an interview with the Board. At that time the Board may recommend that steps be taken to begin formal disciplinary proceedings as required by Section 10-65 of the Illinois Administrative Procedure Act [5 ILCS 100/10-65] (~~1111-Rev1-Stat-1991r-eh-127-par--1010-657~~).

e) Continuing Education Earned in Other Jurisdictions. If a licensee has earned CE hours offered in another state or territory not given by an approved sponsor for which the licensee will be claiming credit toward full compliance in Illinois, the applicant shall submit an individual program approval request form, along with a \$25 processing fee, within 90 days after completion of the CE program and prior to expiration of the license. The Board shall review and recommend approval or disapproval of the program using the criteria set forth in subsection (c)(3) of this Section. Applicants may seek individual program approval prior to the participation in the program.

f) Restoration of Nonrenewed License. Upon satisfactory evidence of compliance with CE requirements, the Department shall restore the license upon payment of the required fee as provided in Section 13(4) and (5) of the Act.

g) Waiver of CE Requirements

1) Any renewal applicant seeking renewal of a license without having fully complied with these CE requirements shall file with the Department a renewal application along with the required fee set forth in Section 13(3) of the Act, a statement setting forth the facts concerning non-compliance and request for waiver of the CE requirements on the basis of these facts. A request for waiver shall be made prior to the renewal date. If the Department, upon the written recommendation of the Board, finds from such affidavit or any other evidence submitted that extreme hardship has been shown for granting a waiver, the Department shall waive enforcement of CE requirements for the renewal period for which the applicant has applied.

2) Extreme hardship shall be determined on an individual basis by the Board and be defined as an inability to devote sufficient hours to fulfilling the CE requirements during the applicable prerenewal period because of:

A) Full-time service in the armed forces of the United States of America during a substantial part of the prerenewal

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

period;

B) An incapacitating illness documented by a statement from a currently licensed physician;

C) A physical inability to travel to the sites of approved programs documented by a currently licensed physician; or

D) Any other similar extenuating circumstances.

3) Any renewal applicant who, prior to the expiration date of the license, submits a request for a waiver, in whole or in part, pursuant to the provisions of this Section shall be deemed to be in good standing until the final decision on the application is made by the Department.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 1470.96 Unethical, Unauthorized and Unprofessional Conduct

The Department may suspend or revoke a license, refuse to issue or renew a license or take other disciplinary action based upon its finding of "unethical, unauthorized, or unprofessional conduct" within the meaning of Section 19 of the Act, which is interpreted to include, but is not limited to, the following acts or practices:

a) Practicing or offering to practice beyond one's competency (for example, providing services and techniques for which one is not qualified by education, training and experience);

b) Revealing facts, data or information relating to a client or examinee, except as allowed under Section 16 of the Act or under the Mental Health and Developmental Disabilities Confidentiality Act [740 ILCS 110]. The release of information "with the consent of the client" as provided for in Section 16 of the Act is interpreted to mean that the social worker, prior to the release of the information, obtained written consent and made certain that the client understood the possible uses or distributions of the information. Case history material may be used for teaching or research purposes or in textbooks or other literature, provided that proper precautions are taken to conceal the identity of the client(s) or examinee(s) involved;

c) Making gross or deliberate misrepresentations or misleading claims as to his/her professional qualifications or of the efficacy or value of his/her treatments or remedies, or those of another practitioner;

d) Failing to inform prospective research subjects or their authorized representative fully of potential serious after effects of the research or failing to remove the after effects as soon as the design of the research permits;

e) Refusing to divulge to the Department techniques or procedures used in his/her professional activities upon request;

f) Directly or indirectly giving to or receiving from any person, firm or corporation any fee, commission, rebate or other form of compensation

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

for any professional services not actually rendered. Social workers do not participate in illegal fee-splitting arrangements, nor do they give or accept kickbacks for referrals. However, it is not unethical for social workers to utilize referral services for which a fee is charged, nor to participate in contractual arrangements under which they agree to discount fees:

- g) Impersonating another person holding a clinical social work or social work license or allowing another person to use his/her license;
- h) The commission of any dishonest, corrupt or fraudulent act that is substantially related to the functions or duties of a social worker providing services or supervising services;
- i) The commission of any act of sexual misconduct, sexual abuse or sexual relations with one's client, patient, student supervisee or with an ex-client within 24 months after termination of treatment;
- j) Entering a treatment relationship in which professional judgment may be compromised by prior association with or knowledge of a client;
- k) Permitting an intern or trainee under the social worker's supervision to perform, or to pretend to be competent to perform, professional services beyond the trainee's or intern's level of training. Disclosure of the intern's status and the name of the supervisor is required;
- l) Submission of fraudulent claims for services to any person or entity including, but not limited to, health insurance companies or health service plans or third party payors;
- m) Failing to disclose conflicts of interests, dual relationships between social worker and clients, and/or obligations associated with service that might affect the client's decision to enter into or continue the relationship;
- n) Discriminating based on race, gender, religion, national origin, political affiliation, social or economic status, choice of lifestyle or sexual orientation;
- o) Knowingly providing services to a client when the social worker's objectivity or effectiveness is impaired. A social worker who becomes impaired and unable to function according to the standards of practice may be subject to disciplinary action if an active practice continues. Causes of impairment may include, but are not limited to, the abuse of mood altering chemicals and physical or mental problems;
- p) Failing to insure that all records and written data are stored using security measures that prevent access to records by unauthorized persons. Social workers are responsible for insuring that the content and disposition of all records are in compliance with all relevant State laws and rules;
- q) The Department hereby incorporates by reference the "Code of Ethics of the National Association of Social Workers", National Association of Social Workers, 750 First Street NE, Suite 700, Washington, D.C. 20002-4241, 1993, with no later amendments or editions;
- r) The Department hereby incorporates by reference the "Code of Ethics", National Federation of Societies for Clinical Social Work, P.O. Box

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

3740, Arlington, Virginia 22203, May 1988, with no later amendments or editions.

(Source: Added at 20 Ill. Reg. _____, effective _____)

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Demonstration Programs
- 2) Code Citation: 89 Ill. Adm. Code 170
- 3) Section Number: Proposed Action:
170.450 New Section
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13].
- 5) Complete Description of the Subjects and Issues Involved: Pursuant to a waiver granted by the U. S. Department of Health and Human Services, these proposed amendments implement the Young Parent Services South Home Visitor Demonstration, Project Link. This demonstration is a time-limited demonstration project administered by the Department in concert with a community-based organization. The demonstration is designed to support the development and evaluation of a home visitor component to enhance service delivery to teenage parents who are required to participate in educational and employment-related activities in the JOBS program.

As a result of these proposed amendments, first time AFDC teen parents age 19 and under and teens on AFDC who become parents during the demonstration and are age 19 or under will be randomly assigned to one of three treatment streams:

1. a control group which receives current JOBS services;
2. experimental group A, which receives JOBS services and home visitor services from Department staff; or
3. experimental group B, which receives JOBS services and home visitor services from a community-based organization under contract with the Department.

The home visitors will provide instruction and supportive guidance in a wide variety of areas to:

1. enhance parenting skills;
2. promote effective family planning;
3. foster maintenance of preventative health care for the teen parents and their children;
4. provide resources and support with a special emphasis on child support, including paternity establishment; and

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

5. encourage active participation in required JOBS activities.
- The overall objectives of this demonstration are intended to:
1. promote the objectives of Title IV of the Family Support Act to strengthen family life and help AFDC families achieve the maximum self-support; and
 2. add to current knowledge regarding the effectiveness of strategies designed to improve social, personal, health and economic outcomes among teenage parents and their children.
- Project Link will be evaluated by measuring the client outcomes achieved by the participants in the two experimental groups as compared with the client outcomes achieved by the participants in the control group.

6) Will these proposed amendments replace emergency amendments currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed amendments contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? Yes

Sections	Proposed Action	Illinois Register Citation
170.300	Amendment	July 7, 1995 (19 Ill. Reg. 8933)
170.350	New Section	July 21, 1995 (19 Ill. Reg. 10381)
170.360	New Section	August 4, 1995 (19 Ill. Reg. 11316)
170.370	New Section	August 4, 1995 (19 Ill. Reg. 11316)
170.380	New Section	October 6, 1995
		(19 Ill. Reg. 13789)
170.390	New Section	November 27, 1995
		(19 Ill. Reg. 15786)
170.400	New Section	November 17, 1995
		(19 Ill. Reg. 15572)

10) Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government.

11) Time, Place, and Manner in which Interested Persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to:

Judy Umunna
Bureau of Rules and Regulations

DEPARTMENT OF PUBLIC AID
NOTICE OF PROPOSED AMENDMENTS

Illinois Department of Public Aid
100 South Grand Ave. E., 3rd Floor
Springfield, IL 62762
(217) 524-3215

The Department requests the submission of written comments within 30 days after the publication of this notice. The Department will consider all written comments it receives during the first notice period as required by Section 5-40 of the Illinois Administrative Procedure Act [5 ILCS 100/5-40].

12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporations affected: None
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: This rule was not included on either of the 2 most recent agendas because: This rulemaking was not anticipated by the Department when the two most recent regulatory agendas were published.

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF PUBLIC AID
NOTICE OF PROPOSED AMENDMENTS
TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER 9: DEMONSTRATION PROGRAMS

PART 170
DEMONSTRATION PROGRAMS
SUBPART A: THE FRESH START
WELFARE REFORM DEMONSTRATION PROGRAM

Section	
170.10	Youth Employment and Training Initiative
170.20	Paternal Involvement Project
170.30	Homeless Families Support Project
170.40	Family Responsibility Project
170.50	Income Budgeting Project

SUBPART B: THE CAREER ADVANCEMENT PROGRAM

Section	
170.100	The Career Advancement Program
170.110	Career Advancement Experimental and Control Groups
170.120	Career Advancement Participation Requirements of Experimental Group Members
170.130	Career Advancement Supportive Services for Experimental Group Members

SUBPART C: COMMUNITY GROUP PARTICIPATION PROGRAM

Section	
170.200	Community Group Participation Program

SUBPART D: EARNED INCOME INITIATIVE

Sections	
170.250	Work Pays Demonstration

SUBPART E: FAMILY DEVELOPMENT PLAN

170.300	Tuancy Prevention Project
---------	---------------------------

SUBPART F: WORK AND RESPONSIBILITY DEMONSTRATION

170.360	Get A Job Initiative
EMERGENCY	
170.380	Quarterly Reporting - Failure to Report Employment Demonstration
EMERGENCY	
170.390	Employment Plan Demonstration Project
EMERGENCY	

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

SUBPART G: JOB OPPORTUNITIES AND BASIC SKILLS TRAINING
(JOBS) DEMONSTRATION PROGRAM

170.450 Young Parent Services South Home Visitor Demonstration (Project Link)

AUTHORITY: Implementing and authorized by Sections 4-1, 4-1.10, 4-8, 4-17, 11-20, 12-13 and 12-4.28 of the Illinois Public Aid Code [305 ILCS 5/4-1, 4-1.10, 4-8, 4-17, 11-20, 12-13 and 12-4.28].

SOURCE: Adopted at 13 Ill. Reg. 14067, effective August 23, 1989; amended at 14 Ill. Reg. 19320, effective November 30, 1990; amended at 17 Ill. Reg. 19197, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 19721, effective November 1, 1993, for a maximum of 150 days; amended at 18 Ill. Reg. 3372, effective February 28, 1994; emergency amendment at 19 Ill. Reg. 645, effective January 9, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 7901, effective June 8, 1995; emergency amendment at 19 Ill. Reg. 15256, effective November 1, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 15849, effective November 15, 1995, for a maximum of 150 days; amended at 20 Ill. Reg. _____, effective _____.

SUBPART G: JOB OPPORTUNITIES AND BASIC SKILLS TRAINING
(JOBS) DEMONSTRATION PROGRAMSection 170.450 Young Parent Services South Home Visitor Demonstration
(Project Link)

- a) The Young Parent Services South Home Visitor Demonstration, Project Link, is a time-limited demonstration project administered by the Department in concert with a community-based organization. It is designed to support the development and evaluation of a home visitor component to enhance service delivery to teenage parents who are required to participate in educational and employment-related activities in the Illinois JOBS program.
- b) Teen parents who participate in the demonstration will receive services by a Home Visitor which will include modeling behavior and introduction on parenting skills, home and family management, study skills and career exploration. Teen mothers will also receive assistance in establishing paternity. Fathers of the children of program participants will be provided information and facilitating referrals for educational opportunities, job training and employment, assisting them to assume support obligations.
- c) Teen parents eligible to participate in the demonstration are:
 - 1) first time AFDC teen parents age 19 or under and their children; and
 - 2) teens and their children on AFDC who become parents during the demonstration and are age 19 or under.
- d) The demonstration is available to selected teen parents residing on the far south side of Chicago. Persons who are served by one of the

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

six local Public Aid offices (Southeast, Calumet Park, Auburn Park, Roseland, South Suburban and Englewood) are eligible for the demonstration.

Teen parents are randomly assigned to:

- e)
 - 1) Stream I - a control group receiving regular IDPA JOBS services;
 - 2) Stream II - an experimental group receiving JOBS services and home visitor services from Department staff; or
 - 3) Stream III - an experimental group receiving JOBS services and home visitor services from a community-based organization under contract with the Department.
- f) Participation in Project Link is mandatory for all eligible clients via a waiver granted by the U.S. Department of Health and Human Services, Administration for Children and Families. All other provisions of 89 Ill. Adm. Code 112.83 are applicable.
- g) The demonstration will study the effects of a home visitor component.
 - 1) Research will include measuring the client outcomes achieved by the two experimental groups which have a home visitor function as compared with the client outcomes achieved by the central group.
 - 2) The evaluation will describe the implementation, operation and outcomes of the program.

(Source: Added at 20 Ill. Reg. _____, effective _____)

DEPARTMENT ON AGING

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Community Care Program2) Code Citation: 89 Ill. Adm. Code 2403) Section Numbers: Adopted Action:

240.655 Amendment

240.660 Amendment

240.820 Amendment

240.920 Amendment

240.1020 Amendment

4) Statutory Authority: 20 ILCS 105/4.01 (11); and 5.02.5) Effective Date of Amendment(s): November 20, 19956) Does this rulemaking contain an automatic repeal date? No7) Does this amendment contain incorporations by reference? No8) Date Filed in Agency's Principal Office: November 20, 19959) Notice of Proposal Published in Illinois Register:July 14, 1995: 19 Ill. Reg. 9362
(issue date)10) Has JC&R issued a Statement of Objections to this amendment(s)? No11) Difference(s) between proposal and final version: As no comments were received in the public comment period, only minor editorial changes were made in response to staff comment, such as addition of commas and a Source Note revision.12) Have all changes agreed upon by the agency and JC&R been made as indicated in the agreement letter issued by JC&R? Yes13) Will this amendment replace an emergency amendment currently in effect?
Yes14) Are there any proposed amendments pending on this Part? YesSection Proposed Action Illinois Register Citation

240.436 New Section February 17, 1995 (19 Ill. Reg. 1363)

240.715 Amendment September 8, 1995 (19 Ill. Reg. 12563 and 12693)

DEPARTMENT ON AGING

NOTICE OF ADOPTED AMENDMENTS

15) Summary and Purpose of Amendment(s): Public Act 87-470, effective September 15, 1991, mandated the Illinois Department on Aging to apply the Illinois Department of Public Aid's (IDPA) spousal impoverishment provisions to the Community Care Program (CCP). The Department's amendments to effectuate this mandate were filed December 30, 1994 and were adopted effective July 1, 1995. In subsequent meetings with IDPA, however, the Department found that there is a 36 month look back period applied to asset transfers. The Medicaid application process would require a longer application time frame for the client/applicant than currently allowed under CCP rules. In order to accommodate these changes, the look back period must be changed from 24 months to 36 months. In addition, the Medicaid application process of determining Medicaid eligibility means the 60 days maximum for client delay must be changed to a 90 day maximum for client delay.

16) Information and questions regarding this adopted amendment shall be directed to:

Ms. Pamela W. Balmer, Assistant
Office of General Counsel
Illinois Department on Aging
421 East Capitol Avenue #100
Springfield, Illinois 62701-1789
(217) 785-3346

The full text of the Adopted Amendment(s) begins on the next page:

DEPARTMENT ON AGING

NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER II: DEPARTMENT ON AGINGPART 240
COMMUNITY CARE PROGRAM

SUBPART A: GENERAL PROGRAM PROVISIONS

Section	
240.100	Community Care Program
240.110	Department Prerogative
240.120	Services Provided
240.130	Maintenance of Effort
240.140	Program Limitations
240.150	Completed Applications Prior to August 1, 1982 (Repealed)
240.160	Definitions

SUBPART B: SERVICE DEFINITIONS

Section	
240.210	Homemaker Service
240.220	Chore-Housekeeping Service (Repealed)
240.230	Adult Day Care Service
240.240	Information and Referral
240.250	Demonstration/Research Projects
240.260	Case Management Service
240.270	Alternative Provider
240.280	Individual Provider

SUBPART C: RIGHTS AND RESPONSIBILITIES

Section	
240.300	Applicant/Client Rights and Responsibilities
240.310	Right to Apply
240.320	Nondiscrimination
240.330	Freedom of Choice
240.340	Confidentiality/Safeguarding of Case Information
240.350	Applicant/Client/Authorized Representative Cooperation
240.360	Reporting Changes
240.370	Voluntary Repayment

SUBPART D: APPEALS

Section	
240.400	Appeals and Fair Hearings
240.405	Representation
240.410	When the Appeal May Be Filed
240.415	What May Be Appealed

DEPARTMENT ON AGING

NOTICE OF ADOPTED AMENDMENTS

240.420	Group Appeals
240.425	Informal Review
240.430	Informal Review Findings
240.435	Withdrawing an Appeal
240.440	Examining Department Records
240.445	Hearing Officer
240.450	The Hearing
240.451	Conduct of Hearing
240.455	Continuance of the Hearing
240.460	Postponement
240.465	Dismissal Due to Non-Appearance
240.470	Rescheduling the Appeal Hearing
240.475	Recommendations of Hearing Officer
240.480	The Appeal Decision
240.485	Reviewing the Official Report of the Hearing

SUBPART E: APPLICATION

Section	
240.510	Application for Community Care Program
240.520	Who May Make Application
240.530	Date of Application
240.540	Statement to be Included on Application

SUBPART F: ELIGIBILITY

Section	
240.600	Eligibility Requirements
240.610	Establishing Eligibility
240.620	Home Visit
240.630	Determination of Eligibility
240.640	Eligibility Decision
240.650	Continuous Eligibility
240.655	Frequency of Redeterminations
240.660	Extension of Time Limit

SUBPART G: NON-FINANCIAL REQUIREMENTS

Section	
240.710	Age
240.715	Determination of Need
240.720	Clients Prior to Effective Date of this Section (Repealed)
240.725	Clients After Effective Date of this Section (Repealed)
240.726	Emergency Budget Act Reduction (Repealed)
240.727	Minimum Score Requirements
240.728	Maximum Payment Levels for Service
240.729	Maximum Payment Levels for Adult Day Care Service
240.730	Plan of Care

DEPARTMENT ON AGING

NOTICE OF ADOPTED AMENDMENTS

240.735 Supplemental Information
 240.740 Assessment of Need
 240.750 Citizenship
 240.755 Residence
 250.760 Furnishing of Social Security Number

SUBPART H: FINANCIAL REQUIREMENTS

Section
 240.800 Financial Factors
 240.810 Assets
 240.815 Exempt Assets
 240.820 Asset Transfers
 240.825 Income
 240.830 Unearned Income Exemptions
 240.835 Earned Income
 240.840 Potential Retirement, Disability and Other Benefits
 240.845 Family
 240.850 Monthly Average Income
 240.855 Applicant/Client Expense for Care
 240.860 Change in Income
 240.865 Application For Medical Assistance (Medicaid)
 240.870 Determination of Applicant/Client Monthly Expense for Care
 240.875 Client Responsibility

SUBPART I: DISPOSITION OF DETERMINATION

Section
 240.905 Prohibition of Institutionalized Individuals From Receiving Community Care Program Services
 240.910 Written Notification
 240.915 Service Provision
 240.920 Reasons for Denial
 240.925 Frequency of Redeterminations (Renumbered)
 240.930 Suspension of Services
 240.935 Discontinuance of Services to Clients
 240.940 Penalty Payments
 240.945 Notification
 240.950 Reasons for Termination
 240.955 Reasons for Reduction or Change

SUBPART J: SPECIAL SERVICES

Section
 240.1010 Nursing Home Prescreening
 240.1020 Interim Services
 240.1040 Intense Service Provision
 240.1050 Temporary Service Increase

DEPARTMENT ON AGING

NOTICE OF ADOPTED AMENDMENTS

SUBPART K: TRANSFERS

Section
 240.1110 Individual Transfer Request - Vendor to Vendor - No Change in Service
 240.1120 Individual Transfer Request - Vendor to Vendor - With Change in Service
 240.1130 Individual Transfers - Case Coordination Unit to Case Coordination Unit
 240.1140 Transfer of Pending Applications
 240.1150 Interagency Transfers
 240.1160 Temporary Transfers - Case Coordination Unit to Case Coordination Unit
 240.1170 Caseload Transfer - Vendor to Vendor
 240.1180 Caseload Transfer - Case Coordination Unit to Case Coordination Unit

SUBPART L: ADMINISTRATIVE SERVICE CONTRACT

Section
 240.1210 Administrative Service Contract

SUBPART M: CASE COORDINATION UNITS AND VENDORS

Section
 240.1310 Standard Contractual Requirements for Case Coordination Units and Vendors
 240.1320 Vendor or Case Coordination Unit Fraud/Illegal or Criminal Acts
 240.1330 General Vendor and CCU Responsibilities (Repealed)
 240.1396 Payment for Services (Repealed)
 240.1397 Purchases and Contracts (Repealed)
 240.1398 Safeguarding Case Information (Repealed)
 240.1399 Suspension/Termination of a Vendor or Case Coordination Unit (CCU)

SUBPART N: CASE COORDINATION UNITS

Section
 240.1400 Community Care Program Case Management
 240.1410 Case Coordination Unit Administrative Minimum Standards
 240.1420 Case Coordination Unit Responsibilities
 240.1430 Case Management Staff Positions, Qualifications and Responsibilities
 240.1440 Training Requirements For Case Management Supervisors and Case Managers

SUBPART O: PROVIDERS

Section
 240.1510 Provider Administrative Minimum Standards
 240.1520 Provider Responsibilities

DEPARTMENT ON AGING

NOTICE OF ADOPTED AMENDMENTS

240.1530 General Homemaker Staffing Requirements
 240.1535 Homemaker Staff Positions, Qualifications and Responsibilities
 240.1540 General Chore-Housekeeping Staffing Requirements (Repealed)
 240.1545 Chore-Housekeeping Staff Positions, Qualifications and Responsibilities (Repealed)
 240.1550 Standard Requirements for Adult Day Care Providers
 240.1555 General Adult Day Care Staffing Requirements
 240.1560 Adult Day Care Staff Qualifications
 240.1565 Adult Day Care Satellite Sites
 240.1570 Service Availability Expansion
 240.1575 Adult Day Care Site Relocation
 240.1580 Standards for Alternative Providers
 240.1590 Standard Requirements for Individual Provider Services

SUBPART P: PROVIDER PROCUREMENT

Section
 240.1600 Provider Contract
 240.1605 Procuring Provider Services
 240.1610 Procurement Cycle for Provider Services
 240.1615 Assurance of Provider Proposal and Guidelines
 240.1620 Content of Provider Proposal and Guidelines
 240.1625 Evaluation of Provider Proposals
 240.1630 Expiration of Provider Proposals
 240.1635 Determination and Notification of Provider Awards
 240.1640 Objection to Procurement Action Determination
 240.1645 Classification of Provider Service Violations
 240.1650 Method of Identification of Provider Service Violations
 240.1655 Compliance Reviews of Contracted Provider Agencies
 240.1660 Provider Right to Appeal
 240.1661 Contract Actions for Failure to Comply with Community Case Program Requirements
 240.1665

SUBPART Q: CASE COORDINATION UNIT PROCUREMENT

Section
 240.1710 Procurement Cycle For Case Management Services
 240.1720 Case Coordination Unit Compliance Review

SUBPART R: ADVISORY COMMITTEE

Section
 240.1800 Community Care Program (CCP) Advisory Committee
 240.1805 Technical Rate Review Advisory Committee (Repealed)

SUBPART S: RATES

Section

DEPARTMENT ON AGING

NOTICE OF ADOPTED AMENDMENTS

240.1910 Establishment of Fixed Unit Rates
 240.1920 Contract Specific Variations
 240.1930 Fixed Unit Rate of Reimbursement for Homemaker Service
 240.1940 Fixed Unit Rates of Reimbursement for Adult Day Care Service and Transportation
 240.1950 Adult Day Care Fixed Unit Reimbursement Rates
 240.1960 Case Management Fixed Unit Reimbursement Rates
 Section
 240.2020 Financial Reporting of Homemaker Service
 240.2030 Unallowable Costs for Homemaker Service
 240.2040 Minimum Direct Service Worker Costs for Homemaker Service
 240.2050 Cost Categories for Homemaker Service

SUBPART T: FINANCIAL REPORTING

AUTHORITY: Implementing Section 4.02 and authorized by Section 4.01(1) of the Illinois Act on the Aging [20 ILCS 105/4.02 and 4.01(1)].

SOURCE: Emergency rules adopted at 4 Ill. Reg. 1, P. 67, effective December 20, 1979, for a maximum of 150 days; adopted at 4 Ill. Reg. 17, P. 151, effective April 25, 1980; amended at 4 Ill. Reg. 43, P. 86, effective October 15, 1980; emergency amendments at 5 Ill. Reg. 1300, effective February 18, 1981, for a maximum of 150 days; amended at 5 Ill. Reg. 12090, effective October 26, 1981; emergency amendments at 6 Ill. Reg. 8455, effective July 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 14953, effective December 1, 1982; amended at 7 Ill. Reg. 8697, effective July 20, 1983; codified at 8 Ill. Reg. 2633; amended at 9 Ill. Reg. 1739, effective January 29, 1985; amended at 9 Ill. Reg. 10208, effective August 29, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 5076, effective March 15, 1986; recodified at 12 Ill. Reg. 7980; amended at 13 Ill. Reg. 11193, effective July 1, 1989; emergency amendments at 13 Ill. Reg. 13638, effective August 18, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 17327, effective November 1, 1989; amended at 14 Ill. Reg. 1233, effective January 12, 1990; amended at 14 Ill. Reg. 10732, effective July 1, 1990; emergency amendments at 15 Ill. Reg. 2838, effective February 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 10351, effective July 1, 1991; emergency amendments at 15 Ill. Reg. 14593, effective October 1, 1991, for a maximum of 150 days; emergency amendments at 15 Ill. Reg. 17398, effective November 15, 1991, for a maximum of 150 days; emergency amendments suspended at 16 Ill. Reg. 1744; emergency amendments modified in response to a suspension by the Joint Committee on Administrative Rules and re-instated at 16 Ill. Reg. 2943; amended at 15 Ill. Reg. 18568, effective December 13, 1991; emergency amendments at 16 Ill. Reg. 2630, effective February 1, 1992, for a maximum of 150 days; emergency amendments at 16 Ill. Reg. 2901, effective February 6, 1992, to expire June 30, 1992; emergency amendments at 16 Ill. Reg. 4069, effective February 28, 1992, to expire June 30, 1992; amended at 16 Ill. Reg. 11403, effective June 30, 1992;

DEPARTMENT ON AGING

NOTICE OF ADOPTED AMENDMENTS

emergency amendments at 16 Ill. Reg. 11625, effective July 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 11731, effective June 30, 1992; emergency rule added at 16 Ill. Reg. 12615, effective July 23, 1992, for a maximum of 150 days; modified at 16 Ill. Reg. 16680; amended at 16 Ill. Reg. 14565, effective September 8, 1992; amended at 16 Ill. Reg. 18767, effective November 27, 1992; amended at 17 Ill. Reg. 224, effective December 29, 1992; amended at 17 Ill. Reg. 6090, effective April 7, 1993; amended at 18 Ill. Reg. 5348, effective February 1, 1994; emergency amendment at 18 Ill. Reg. 5348, effective March 22, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 13375, effective August 19, 1994; amended at 19 Ill. Reg. 9085, effective July 1, 1995; emergency amendments at 19 Ill. Reg. 10186, effective July 1, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 12693, effective August 27, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 14553, effective 16039 31, effective 1995.

SUBPART F: ELIGIBILITY

Section 240.655 Frequency of Redeterminations

Redetermination of eligibility for the Community Care Program shall be conducted by the Case Coordination Unit (CCU) at least annually; or whenever requested by the client/authorized representative; or whenever the client may have experienced a change in his/her needs that indicates the need for a redetermination to assure continued eligibility. (Refer to Section 240.630)

- a) A decision on the redetermination shall be made within 30 calendar days from the date the redetermination process is begun, except as extended by the Department.
- b) Redeterminations conducted at the request of the client/authorized representative or whenever the client may have experienced a change in needs shall be accomplished and a decision rendered within 30 calendar days from the date of the request for redetermination, except as extended by the Department.
- c) The 30 calendar day time limit for completion of a redetermination of a client's eligibility shall be extended by any delay caused by the client/authorized representative.
 - 1) Client delay is defined as the number of calendar days a redetermination of eligibility is delayed because of the client's/authorized representative's failure to provide documentation supporting his/her eligibility within 7 calendar days from the date it is verbally requested by the CCU.
 - 2) In the event that a client's eligibility cannot be determined due to the client's/authorized representative's failure to provide documentation, as specified above, within 30 calendar days from the date it is verbally requested by the CCU, the CCU shall extend the time limit for an additional 60 calendar days, after which services shall be terminated if documentation is not provided.
- d) The client shall maintain eligibility and services shall continue to

DEPARTMENT ON AGING

NOTICE OF ADOPTED AMENDMENTS

be provided throughout the redetermination process unless the client/authorized representative delays the process beyond the additional 50 day calendar days specified in subsection (c)(2) above.

- e) Written notification to the client/authorized representative shall be made as required by Section 240.945.
- f) Any change in services shall be initiated within 15 calendar days from the date the written notice is mailed to the client/authorized representative, as required by Section 240.945.

(Source: Amended at 19 Ill. Reg. 16040 31, effective 1995.)

Section 240.660 Extension of Time Limit

The ~~30 thirty~~ calendar day time limit for completion of a determination of a client's eligibility may be extended by any delay caused by the applicant.

- a) Applicant delay is defined as the number of calendar days a determination of eligibility is delayed because of the applicant's/authorized representative's failure to provide documentation supporting his/her eligibility within ~~7 seven~~ 16 calendar days from the date it is requested in writing by the Department/Case Coordination Unit (CCU).
- b) In the event that an applicant's eligibility cannot be determined due to the applicant's/authorized representative's failure to provide documentation, as specified above, within ~~30 sixty~~ 60 calendar days from the date of receipt of the completed application form, the application shall be denied.

(Source: Amended at 19 Ill. Reg. 16040 31, effective 1995.)

SUBPART H: FINANCIAL RESPONSIBILITY

Section 240.820 Asset Transfers

- a) The following transactions are considered transfers of assets:
 - 1) when an applicant/client buys, sells or gives away real or personal property; or
 - 2) if the applicant/client changes the way real or personal property is held.
- b) Transfers of assets which are exempt at the time of transfer do not affect eligibility.
- c) Transfers of non-exempt assets completed within ~~36 months~~ two (2) years from the date of application for the Community Care Program shall be considered in determining eligibility. If a fair market value was not received, the value of the transferred asset shall be considered toward non-exempt assets and any excess amount shall be

DEPARTMENT ON AGING

NOTICE OF ADOPTED AMENDMENTS

considered available to meet service costs unless it is proven that the applicant/client did not transfer the property to qualify for or increase the need for the Community Care Program.

- 1) If real property was transferred, fair market value is to be determined by use of statements from reputable realtors or other community members recognized as knowledgeable of property value (e.g., bankers, tax assessors, auctioneers).
- 2) If personal property was transferred, fair market value is to be determined by use of a statement from an institution having knowledge of the property at the time of the transfer, or from an individual who has specific knowledge of the transfer and/or the value of the asset at the time of the transfer.
- 3) Factors to be considered when determining whether or not a transfer of property was made to qualify for or increase the need for the Community Care Program include but are not limited to:
 - A) the applicant's/client's physical and mental condition at the time of transfer;
 - B) the applicant's/client's financial situation at the time of transfer;
 - C) the applicant's/client's need for services at the time of transfer;
 - D) changes in the applicant's/client's living arrangements at the time of transfer; and
 - E) how soon after the transfer the applicant/client applied for services.

- D) If after consideration of these factors the applicant/client is ineligible, the period of ineligibility begins at the date of application for applicants and the date of termination for clients. The period of ineligibility lasts from the initial date for as long as the asset would meet the cost of Community Care Program (CCP) services if it were available to the applicant/client, but in no case shall it last longer than 36 months ~~two-to-two-and-a-half~~ years from the date of transfer.

- E) An applicant/client determined ineligible under subsection (d) above may become eligible if the following occurs:
 - 1) the property is reconveyed to the applicant/client; or
 - 2) an adequate consideration is paid to the applicant/client.

- F) It shall be the responsibility of an applicant/client to report all property transfers to the Case Coordination Unit (CCU) within five days from the date of the transaction.

- G) If an unreported transfer of property was made by an applicant/client within 36 months ~~two-to-two-and-a-half~~ years prior to the date of application or was made after the filing of the application but before Community Care Program (CCP) services were authorized, and services to which the individual was not entitled were received as a result of the failure to report the transfer, services shall be terminated.

- H) Involuntary transfers do not affect eligibility.

- I) When the property transfer was made to obtain support or care, and the terms of the agreement are being met, only those needs not included in

DEPARTMENT ON AGING

NOTICE OF ADOPTED AMENDMENTS

the agreement may be met through the Community Care Program.

- J) Transfers because of separation, divorce or other settlement shall not affect eligibility if they are Court ordered; or, if there is no Court order, and the applicant/client and his/her spouse divide the property in half.

- K) Transfers from an individual bank account to a joint bank account do not affect eligibility if the applicant/client retains access to the money and the money continues to be used for the applicant's/client's needs.

- L) Income tax refunds are available assets. If the refund is based on a joint income tax return, one-half ~~of~~ of the refund is to be considered as belonging to the applicant/client.

(Source: Amended at 19 Ill. Reg. 16031, effective NOV 20 1995)

SUBPART I: DISPOSITION OF DETERMINATION

Section 240.920 Reasons for Denial

Denial of Community Care Program (CCP) eligibility shall be based upon one or more of the reasons identified below:

- A) Applicant is less than 60 ~~sixty~~ years of age at the time of the determination of eligibility.
- B) Applicant is not in need of CCP services: scored less than 29 ~~twenty-nine~~ total points/less than 15 ~~fifteen~~ points on Part A, Level of Impairment, of the Determination of Need.
- C) Applicant/authorized representative refuses to sign Client Agreement - Plan of Care.
- D) Applicant/authorized representative refuses to sign Client Agreement - Plan of Care based upon the expense to be incurred monthly as required on the Client Agreement - Plan of Care.
- E) Applicant/authorized representative does not agree with plan of care/hours of service.
- F) Applicant is deceased.
- G) Applicant has been institutionalized for more than 60 ~~sixty~~ calendar days from the date of application.
- H) Applicant/authorized representative voluntarily withdraws application.
- I) Applicant cannot be located to determine eligibility/provide CCP services.
- J) Applicant/authorized representative has not provided reasonable documentation supporting eligibility as required by the Department or its Case Coordination Unit (CCU) within 90 ~~sixty~~ calendar days from the date of receipt of the completed application.
- K) Applicant/authorized representative has not cooperated with the Department/CCU/vendor as required and as specified by Section 240.350.
- L) Applicant does not meet citizenship requirements.
- M) Applicant does not meet residency requirements.

DEPARTMENT ON AGING

NOTICE OF ADOPTED AMENDMENTS

n) A plan of care cannot be developed that adequately meets the applicant's determined needs.

- 1) The determination that an adequate plan of care cannot be developed shall be sought first through the Physician/Nurse Practitioner/Registered Nurse/Christian Science Practitioner endorsement. Failure to obtain the supportive endorsement that an adequate plan of care cannot be developed shall be so documented.

- 2) If the Physician/Nurse Practitioner/Registered Nurse/Christian Science Practitioner fails to provide the supportive endorsement, the CCU shall make the determination that an adequate plan of care cannot be developed in accordance with Section 240.715.

- o) The total value of applicant's non-exempt assets is in excess of \$10,000.

- p) Applicant has not provided the Physician, Nurse Practitioner, Registered Nurse or Christian Science Practitioner endorsement as required by Section 240.730(d).

- q) Eligibility could not be established for an applicant who was receiving interim services based upon presumptive eligibility as required by Section 240.1020.

- r) Applicant/authorized representative provided fraudulent information.

- s) Applicant whose CCP services were previously denied or terminated for non-cooperation as set forth in Section 240.350 shall be denied services upon re-application, except as the situation or condition which led to the memorandum of understanding (see Section 240.350) has been permanently resolved.

- t) Applicant has an outstanding bill for CCP services provided prior to this application which he/she refuses to pay.

- u) Applicant chooses not to receive CCP services from the list of authorized vendors and has so indicated on the Client's Vendor Selection form.

- v) Applicant received interim services in the past for which an incurred expense was never paid.

- w) Applicant has transferred non-exempt assets within the past 36 months two-years for the purpose of obtaining CCP services.

- x) Applicant/authorized representative has not reported or refused to provide documentation of changes in circumstances which have occurred prior to eligibility determination as required by Section 240.360.

(Source: Amended at 19 Ill. Reg. 16031, effective NOV 20 1995)

SUBPART J: SPECIAL SERVICES

Section 240.1020 Interim Services

Interim services are Community Care Program (CCP) services provided to individuals age 60 and over on an interim basis, dependent upon the applicant's

DEPARTMENT ON AGING

NOTICE OF ADOPTED AMENDMENTS

presumptive eligibility and following prescreening of the applicant.

- a) Presumptive eligibility shall be based upon the following criteria:

- 1) an application has been completed by an individual age 60 or over, or by the individual's authorized representative, following prescreening.

- 2) Notification has been received by the Case Coordination Unit (CCU) from a hospital or from an individual or agency in the community that the applicant is at imminent risk of nursing facility placement within 3 ~~three~~-~~13~~ work days.

- 3) A Physician, Nurse Practitioner, Registered Nurse, or Christian Science Practitioner has certified in writing that the applicant is unable to remain safely in his/her home without the provision of in-home or community-based services and is, therefore, at imminent risk of nursing facility placement within 3 ~~three~~-~~13~~ work days. The Physician, Nurse Practitioner, Registered Nurse, or Christian Science Practitioner further certifies that the proposed CCP plan of care will enable the applicant to remain at home safely.

- 4) The Determination of Need (DON) has been administered and the applicant has received the minimum required score of 15 ~~fifteen~~-~~15~~ points on Part A and a total score of at least 29 ~~twenty-nine~~-~~29~~ points on the DON.

- 5) The applicant has provided declared information on all other CCP eligibility requirements.

- 6) The Interim Client Agreement has been fully executed, the applicant has completed a Client's Vendor Selection form in accordance with Section 240.330, and the vendor has been notified.

- 7) The determination of presumptive eligibility shall be completed and the vendor notified within 3 ~~three~~-~~13~~ work days from the date of receipt of the completed application (or notice of the completion of the application) by the CCU.

- b) When presumptive eligibility has been determined and interim services are approved in accordance with the plan of care, services shall be initiated by the vendor to the applicant within 2 ~~two~~-~~12~~ work days from the date of notification to the vendor of the applicant's presumptive eligibility.

- c) A DON shall be administered in the home of the applicant by the CCU within 15 ~~fifteen~~-~~15~~ calendar days from the date of discharge of the applicant from a hospital, or notification by an individual or agency in the community that the applicant is at imminent risk of institutionalization. The formal determination of eligibility for CCP services shall be completed within 90 ~~sixty~~-~~60~~ calendar days from the date of receipt of the completed application (or notice of the completion of the application) by the CCU.

- d) Interim services may continue up to a maximum of 90 ~~sixty~~-~~60~~ calendar days from the date of application pending finalization of the formal determination of eligibility by the CCU. Services shall be

DEPARTMENT ON AGING

NOTICE OF ADOPTED AMENDMENTS

denied at any time during the 90 ~~state~~ calendar day interim service period:

- 1) if evidence of ineligibility, based upon any eligibility requirement, is determined; or
 - 2) if the applicant fails to cooperate in the determination of eligibility process; or
 - 3) as specified in Section 240.660, in the event that an applicant's eligibility cannot be determined due to the applicant's failure to provide reasonable documentation (factual information to substantiate provided information when provided information is contradictory or not specific) within 90 ~~state~~ calendar days from the date of receipt of the completed application (or notice of the completion of the application) by the CGU; or
 - 4) if a plan of care cannot be developed which adequately meets the applicant's determined needs (see Section 240.920(n)).
- e) Notification of eligibility or ineligibility shall be provided in writing. If eligibility is denied, provision of interim services shall cease on the date of receipt by the vendor of the Case Action Notice.

(Source: Amended at 19 Ill. Reg. 6031, effective NOV 20 1995)

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Data Collections
- 2) Code Citation: 77 Ill. Adm. Code 2510
- 3) Section Numbers: Adopted Action:
2510.Appendix D Amendment
- 4) Statutory Authority: Section 2-3 of Article II and Section 4-2 of the Illinois Health Finance Reform Act [20 ILCS 2215/2-3 and 4-2]
- 5) Effective Date of Rulemaking: November 17, 1995
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: November 14, 1995
- 9) Notice of Proposal Published in Illinois Register: 19 Ill. Reg. 10927, August 11, 1995
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Difference(s) between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? N/A
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: Appendix D is being amended to change the effective dates of the amendment requiring hospitals to submit data using the format in Appendix D from August 14, 1995 to August 1997, due to budgetary constraints.
- 16) Information and questions regarding this adopted amendment shall be directed to:

Britt Hagen, Associate Director
Illinois Health Care Cost Containment Council
4500 South Sixth Street Road
Springfield, IL 62703
(217) 786-7001

The full text of the Adopted Amendment begins on the next page:

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF ADOPTED AMENDMENT(S)

Section 2510.APPENDIX D UB-92 Magnetic Media Record Format

Beginning August 1997 14-August-1995 all hospitals may use the following format for submission to the Council. Beginning November 1997 20-November 1995 all hospitals must use this format for submission to the Council.

HEADER RECORD

DATA ELEMENT	DATA ELEMENT DESCRIPTION	POSITION FROM	TO	LENGTH	PICTURE	FORMAT
1	Hospital ID Number (Medicaid Provider Number)	1	12	12	A	
2	Hospital Name	13	52	40	A	
3	Hospital Street Address	53	92	40	A	
4	Hospital City	93	112	20	A	
5	Hospital Zip Code	113	117	5	A	
6	Contact Person	118	157	40	A	
7	Telephone Number	158	167	10	A	(XXX)XXX-XXXX
8	Period Covered First Day	168	173	6	N	MMDDYY
9	Last Day	174	179	6	N	MMDDYY
10	Filler	180	915	736	A	Blank Fill

Beginning August 1997 14-August-1995 all hospitals may use the following format for submission to the Council. Beginning November 1997 20-November 1995 all hospitals must use this format for submission to the Council.

LOGICAL RECORD

DATA ELEMENT	DATA ELEMENT DESCRIPTION	UB-92 ITEM	POSITION FROM	TO	LENGTH	PICTURE	FORMAT
1	Patient Date of Birth	14	1	8	8	N	MMDDCCYY
2	Patient Sex	15	9	9	1	A	
3a	Patient Zip Code	13	10	14	5	N	Unknown-00000 Foreign-99999

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF ADOPTED AMENDMENTS

CHAPTER XI: ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

PART 2510
DATA COLLECTION

Section	Purpose
2510.10	Outside Contractor
2510.20	Collection and Submission of Hospital Financial Data
2510.30	Submission of Medicaid Cost Reports
2510.40	Collection of Information on Uniform Billing Form
2510.50	Report of Inpatient Discharges
2510.55	Quarterly Reports
2510.60	Special Studies and Analysis
2510.70	Confidentiality
2510.80	Format of the Financial Data Report
2510.85	Hospital Review
2510.90	Illinois Health Care Cost Containment Council Annual Financial Data Report
APPENDIX A	UB-82 Magnetic Media Record Format
APPENDIX B	UB-82 Uniform Bill Data Fields
APPENDIX C	UB-92 Magnetic Media Record Format
APPENDIX D	UB-92 Uniform Bill Data Fields

AUTHORITY: Implementing Article IV and authorized by Section 2-3 of Article II of the Illinois Health Finance Reform Act [20 ILCS 2215/2-3 and Art. IV].

SOURCE: Adopted and codified at 9 Ill. Reg. 12726, effective August 5, 1985; amended at 10 Ill. Reg. 18790, effective October 17, 1986; amended at 11 Ill. Reg. 1574, effective January 2, 1987; amended at 12 Ill. Reg. 6102, effective March 21, 1988; amended at 13 Ill. Reg. 334, effective December 30, 1988; amended at 14 Ill. Reg. 2078, effective January 19, 1990; amended at 16 Ill. Reg. 8980, effective June 3, 1992; emergency amendment at 16 Ill. Reg. 19210, effective November 25, 1992, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 2031, effective January 29, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 9700, effective June 10, 1993; amended at 17 Ill. Reg. 9896, effective June 10, 1993; emergency amendment at 17 Ill. Reg. 14112, effective August 10, 1993, for a maximum of 150 days; emergency expired on January 7, 1994; amended at 18 Ill. Reg. 5300, effective March 21, 1994; emergency amendment at 18 Ill. Reg. 14809, effective September 12, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16810, effective November 4, 1994; amended at 19 Ill. Reg. 1825, effective February 6, 1995; amended at 19 Ill. Reg. 9113, effective June 23, 1995; emergency amendment at 19 Ill. Reg. 15097, effective October 11, 1995; amended at 19 Ill. Reg. 16046, effective NOV 1995.

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF ADOPTED AMENDMENT(S)

DATA ELEMENT	DATA ELEMENT DESCRIPTION	UB-92 ITEM	POSITION FROM	LENGTH TO	PICTURE	FORMAT
3b	ZIP PLUS 4	13	15	18	4	A Blank Fill IF NO NUMBER
4a	1st Individual Payer ID Number	50a	19	27	9	A Left justify, space fill right
4b	2nd Individual Payer ID Number	50b	28	36	9	A Left justify, space fill right
4c	3rd Individual Payer ID Number	50c	37	45	9	A Left justify, space fill right
5	Date of Admission	17	46	51	6	N MMDDYY
6	Source of Admission	20	52	52	1	N
7	Type of Admission	19	53	53	1	N
8a	Type of Bill	4	54	56	3	N
8b	Discharge Date	6	57	62	6	N MMDDYY
9a	Principal Diagnosis	67	63	68	6	A Left justify, space fill right no decimal
9b	1st Other Diagnosis	68	69	74	6	A Left justify, space fill right no decimal
9c	2nd Other Diagnosis	69	75	80	6	A Left justify, space fill right no decimal
9d	3rd Other Diagnosis	70	81	86	6	A Left justify, space fill right no decimal
9e	4th Other Diagnosis	71	87	92	6	A Left justify, space fill right no decimal
9f	5th Other Diagnosis	72	93	98	6	A Left justify, space fill right no decimal
9g	6th Other Diagnosis	73	99	104	6	A Left justify, space fill right no decimal

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF ADOPTED AMENDMENT(S)

DATA ELEMENT	DATA ELEMENT DESCRIPTION	UB-92 ITEM	POSITION FROM	LENGTH TO	PICTURE	FORMAT
9h	7th Other Diagnosis	74	105	110	6	A
9i	8th Other Diagnosis	75	111	116	6	A
10a	Procedure Coding Method Used	79	117	117	1	N
10b	Principal Procedure	80	118	124	7	A
10c	Principal Procedure Date	80	125	130	6	N
11	Patient Status	22	131	132	2	N
12a	1st Other Procedure	81a	133	139	7	A
12b	1st Other Procedure Date	81a	140	145	6	N
12c	2nd Other Procedure	81b	146	152	7	A
12d	2nd Other Procedure Date	81b	153	159	6	N
12e	3rd Other Procedure	81c	159	165	7	A
12f	3rd Other Procedure Date	81c	166	171	6	N
12g	4th Other Procedure	81d	172	178	7	A
12h	4th Other Procedure Date	81d	179	184	6	N
12i	5th Other Procedure	81e	185	191	7	A
12j	5th Other Procedure Date	81e	192	197	6	N
13a	1st Revenue Code	42a	198	201	4	N

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF ADOPTED AMENDMENT(S)

DATA ELEMENT	DATA ELEMENT DESCRIPTION	UB-92 ITEM	POSITION FROM	LENGTH TO	PICTURE	FORMAT
13a	Units of Service	46a	202	208 7	N	Right justify, zero fill left
13a	Charges	47a	209	218 10	N	S9(8)99-May be negative (credit) Right justify, zero fill left; when including sign, use zoned decimal representation
13b	2nd Revenue Code	42b	219	222 4	N	Right justify, zero fill left
13b	Units of Service	46b	223	229 7	N	Right justify, zero fill left
13b	Charges	47b	230	239 10	N	S9(8)99-May be negative (credit) Right justify, zero fill left; when including sign, use zoned decimal representation
13c	3rd Revenue Code	42c	240	243 4	N	Right justify, zero fill left
13c	Units of Service	46c	244	250 7	N	Right justify, zero fill left
13c	Charges	47c	251	260 10	N	S9(8)99-May be negative (credit) Right justify, zero fill left; when including sign, use zoned decimal representation
13d	4th Revenue Code	42d	261	264 4	N	Right justify, zero fill left
13d	Units of Service	46d	265	271 7	N	Right justify, zero fill left

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF ADOPTED AMENDMENT(S)

DATA ELEMENT	DATA ELEMENT DESCRIPTION	UB-92 ITEM	POSITION FROM	LENGTH TO	PICTURE	FORMAT
13d	Charges	47d	272	281 10	N	S9(8)99-May be negative (credit) Right justify, zero fill left; when including sign, use zoned decimal representation
13e	5th Revenue Code	42e	282	285 4	N	Right justify, zero fill left
13e	Units of Service	46e	286	292 7	N	Right justify, zero fill left
13e	Charges	47e	293	302 10	N	S9(8)99-May be negative (credit) Right justify, zero fill left; when including sign, use zoned decimal representation
13f	6th Revenue Code	42f	303	306 4	N	Right justify, zero fill left
13f	Units of Service	46f	307	313 7	N	Right justify, zero fill left
13f	Charges	47f	314	323 10	N	S9(8)99-May be negative (credit) Right justify, zero fill left; when including sign, use zoned decimal representation
13g	7th Revenue Code	42g	324	327 4	N	Right justify, zero fill left
13g	Units of Service	46g	328	334 7	N	Right justify, zero fill left

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF ADOPTED AMENDMENT(S)

DATA ELEMENT	DATA ELEMENT DESCRIPTION	UB-92 ITEM	POSITION FROM	LENGTH TO	PICTURE	FORMAT
13g	Charges	47g	335	344 10	N	S9(8)99-May be negative (credit) Right justify, zero fill left; when including sign, use zoned decimal representation
13h	8th Revenue Code	42h	345	348 4	N	Right justify, zero fill left
13h	Units of Service	46h	349	355 7	N	Right justify
13h	Charges	47h	356	365 10	N	S9(8)99-May be negative (credit) Right justify, zero fill left; when including sign, use zoned decimal representation
13i	9th Revenue Code	42i	366	369 4	N	Right justify, zero fill left
13i	Units of Service	46i	370	378 7	N	Right justify, zero fill left
13i	Charges	47i	377	388 10	N	S9(8)99-May be negative (credit) Right justify, zero fill left; when including sign, use zoned decimal representation
13j	10th Revenue Code	42j	387	390 4	N	Right justify, zero fill left
13j	Units of Service	46j	391	397 7	N	Right justify, zero fill left

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF ADOPTED AMENDMENT(S)

DATA ELEMENT	DATA ELEMENT DESCRIPTION	UB-92 ITEM	POSITION FROM	LENGTH TO	PICTURE	FORMAT
13j	Charges	47j	398	407 10	N	S9(8)99-May be negative (credit) Right justify, zero fill left; when including sign, use zoned decimal representation
13k	11th Revenue Code	42k	408	411 4	N	Right justify, zero fill left
13k	Units of Service	46k	412	418 7	N	Right justify, zero fill left
13k	Charges	47k	419	428 10	N	S9(8)99-May be negative (credit) Right justify, zero fill left; when including sign, use zoned decimal representation
13l	12th Revenue Code	42l	429	432 4	N	Right justify, zero fill left
13l	Units of Service	46l	433	439 7	N	Right justify, zero fill left
13l	Charges	47l	440	449 10	N	S9(8)99-May be negative (credit) Right justify, zero fill left; when including sign, use zoned decimal representation
13m	13th Revenue Code	42m	450	453 4	N	Right justify, zero fill left
13m	Units of Service	46m	454	460 7	N	Right justify, zero fill left

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF ADOPTED AMENDMENT(S)

DATA ELEMENT	DATA ELEMENT DESCRIPTION	UB-92 ITEM	POSITION FROM	LENGTH TO	PICTURE	FORMAT
13m	Charges	47m	461	470 10	N	S9(8)99-May be negative (credit) Right justify, zero fill left; when including sign, use zoned decimal representation
13n	14th Revenue Code	42n	471	474 4	N	Right justify, zero fill left
13n	Units of Service	46n	475	481 7	N	Right justify, zero fill
13n	Charges	47n	482	491 10	N	S9(8)99-May be negative (credit) Right justify, zero fill left; when including sign, use zoned decimal representation
13o	15th Revenue Code	42o	492	495 4	N	Right justify, zero fill left
13o	Units of Service	46o	496	502 7	N	Right justify, zero fill
13o	Charges	47o	503	512 10	N	S9(8)99-May be negative (credit) Right justify, zero fill left; when including sign, use zoned decimal representation
13p	16th Revenue Code	42p	513	516 4	N	Right justify, zero fill left
13p	Units of Service	46p	517	523 7	N	Right justify, zero fill

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF ADOPTED AMENDMENT(S)

DATA ELEMENT	DATA ELEMENT DESCRIPTION	UB-92 ITEM	POSITION FROM	LENGTH TO	PICTURE	FORMAT
13p	Charges	47p	524	533 10	N	S9(8)99-May be negative (credit) Right justify, zero fill left; when including sign, use zoned decimal representation
13q	17th Revenue Code	42q	534	537 4	N	Right justify, zero fill left
13q	Units of Service	46q	538	544 7	N	Right justify, zero fill
13q	Charges	47q	545	554 10	N	S9(8)99-May be negative (credit) Right justify, zero fill left; when including sign, use zoned decimal representation
13r	18th Revenue Code	42r	555	558 4	N	Right justify, zero fill left
13r	Units of Service	46r	559	565 7	N	Right justify, zero fill
13r	Charges	47r	566	575 10	N	S9(8)99-May be negative (credit) Right justify, zero fill left; when including sign, use zoned decimal representation
13s	19th Revenue Code	42s	576	579 4	N	Right justify, zero fill left
13s	Units of Service	46s	580	586 7	N	Right justify, zero fill

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

95

NOTICE OF ADOPTED AMENDMENT(S)

DATA ELEMENT	DATA ELEMENT DESCRIPTION	UB-92 ITEM	POSITION FROM	LENGTH TO	PICTURE	FORMAT
13s	Charges	47s	587	588 10	N	S9(8)99-May be negative (credit) Right justify, zero fill left; when including sign, use zoned decimal representation
13t	20th Revenue Code	42t	597	800 4	N	Right justify, zero fill left
13t	Units of Service	46t	601	607 7	N	Right justify, zero fill left
13t	Charges	47t	608	617 10	N	S9(8)99-May be negative (credit) Right justify, zero fill left; when including sign, use zoned decimal representation
13u	21st Revenue Code	42u	618	621 4	N	Right justify, zero fill left
13u	Units of Service	46u	622	628 7	N	Right justify, zero fill left
13u	Charges	47u	629	638 10	N	S9(8)99-May be negative (credit) Right justify, zero fill left; when including sign, use zoned decimal representation
13v	22nd Revenue Code	42v	639	642 4	N	Right justify, zero fill left
13v	Units of Service	46v	643	649 7	N	Right justify, zero fill left

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

95

NOTICE OF ADOPTED AMENDMENT(S)

DATA ELEMENT	DATA ELEMENT DESCRIPTION	UB-92 ITEM	POSITION FROM	LENGTH TO	PICTURE	FORMAT
13v	Charges	47v	650	659 10	N	S9(8)99-May be negative (credit) Right justify, zero fill left; when including sign, use zoned decimal representation
13w	23rd Revenue Code	42w	660	663 4	N	Right justify, zero fill left
13w	Units of Service	46w	664	670 7	N	Right justify, zero fill left
13w	Charges	47w	671	680 10	N	S9(8)99-May be negative (credit) Right justify, zero fill left; when including sign, use zoned decimal representation
14	Attending Physician ID Number	82	681	690 10	A	
15	Hospital ID Number	5	691	702 12	A	
16	Patient ID Number	3	703	722 20	A	
17a	1st Insur Grp Number	62a	723	739 17	A	
17b	2nd Insur Grp Number	62b	740	756 17	A	
17c	3rd Insur Grp Number	62c	757	773 17	A	
18a	Other Physician ID Number	83a	774	783 10	A	
18b	Other Physician ID Number	83b	784	793 10	A	
19a	1st Condition Code	24	794	795 2	A	
19b	2nd Condition Code	25	796	797 2	A	
19c	3rd Condition Code	26	798	799 2	A	

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF ADOPTED AMENDMENT(S)

DATA ELEMENT	DATA ELEMENT DESCRIPTION	UB-92 ITEM	POSITION FROM	LENGTH TO	PICTURE	FORMAT
19d	4th Condition Code	27	800	801 2	A	
19e	5th Condition Code	28	802	803 2	A	
19f	6th Condition Code	29	804	805 2	A	
19g	7th Condition Code	30	806	807 2	A	
20a	1st Occurrence Code	32a	808	809 2	A	
20b	1st Occurrence Date	32a	810	815 6	N	MMDDYY
20c	2nd Occurrence Code	33a	816	817 2	A	
20d	2nd Occurrence Date	33a	818	823 6	N	MMDDYY
20e	3rd Occurrence Code	34a	824	825 2	A	
20f	3rd Occurrence Date	34a	826	831 6	N	MMDDYY
20g	4th Occurrence Code	35a	832	833 2	A	
20h	4th Occurrence Date	35a	834	839 6	N	MMDDYY
20i	5th Occurrence Code	32b	840	841 2	A	
20j	5th Occurrence Date	32b	842	847 6	N	MMDDYY
20k	6th Occurrence Code	33b	848	849 2	A	
20l	6th Occurrence Date	33b	850	855 6	N	MMDDYY
20m	7th Occurrence Code	34b	856	857 2	A	
20n	7th Occurrence Date	34b	858	863 6	N	MMDDYY
20o	8th Occurrence Code	35b	864	865 2	A	

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF ADOPTED AMENDMENT(S)

DATA ELEMENT	DATA ELEMENT DESCRIPTION	UB-92 ITEM	POSITION FROM	LENGTH TO	PICTURE	FORMAT
20p	8th Occurrence Date	35b	866	871 6	N	MMDDYY
21a	1st Occurrence Span Code	36a	872	873 2	A	
21b	1st Occurrence From Date	36a	874	879 6	N	MMDDYY
21c	1st Occurrence Through Date	36a	880	885 6	N	MMDDYY
21d	2nd Occurrence Span Code	36b	886	887 2	A	
21e	2nd Occurrence From Date	36b	888	893 6	N	MMDDYY
21f	2nd Occurrence Through Date	36b	894	899 6	N	MMDDYY
	Filler		900	915 16	A	Blank Filler

UB-92 Magnetic Media Record Format

Beginning August 1997 to August-1995 all hospitals may use the following format for submission to the Council. Beginning November 1997 to November 1995 all hospitals must use this format for submission to the Council.

TRAILER RECORD FIELD DESCRIPTION

DATA ELEMENT	DATA ELEMENT DESCRIPTION	POSITION FROM	LENGTH TO	PICTURE	FORMAT
1	Hospital ID Number (Medical Provider Number)	1	12 12	A	
2	Number of Records (Logical Records contained in the file excluding the Header and Trailer Records)	13	17 5	N	
3	Filler	18	915 898	A	Blank filler

(Source: Amended at 19 Ill. Reg. 16046, effective NOV 17 1995)

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF ADOPTED AMENDMENTS

_____)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Rental of Boats and Boating Facilities

2) Code Citation: 17 Ill. Adm. Code 210

3) Section Numbers: Adopted Action:

210.10 Amendments
210.30 Amendments
210.35 Amendments
210.40 Amendments

4) Statutory Authority: Implementing and authorized by Sections 63a14, 63a15, 63a21, and 63a22 of the Civil Administrative Code of Illinois [20 ILCS 805/63a14, 63a15, 63a21 and 63a22].

5) Effective Date of Rulemaking: November 21, 1995

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rulemaking contain incorporations by reference? No

8) Date filed in Agency's Principal Office: November 16, 1995

9) Notice of Proposal Published in Illinois Register: August 18, 1995, 19 Ill. Reg. 11725

10) Has JCAR issued a Statement of Objections to these rules? No

11) Difference(s) between proposal and final version: In Section 210.10, the comma following "Act" was removed.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this rulemaking replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rulemaking: This Part is being amended to authorize the site manager to rent State-owned boats and charge the same fee as the concessionaire when the concessionaire is absent and to change docking fees for all sites except North Point Marina.

16) Information and questions regarding these adopted amendments shall be directed to:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Jack Price

Department of Natural Resources
524 S. Second Street, Room 430
Springfield, IL 62701-1787
217/782-1809

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION

CHAPTER I: DEPARTMENT OF NATURAL RESOURCES

SUBCHAPTER a: LANDS AND HISTORIC SITES

PART 210

RENTAL OF BOATS AND BOATING FACILITIES

Section	
210.10	Safety Requirements
210.20	Rental Procedures
210.30	Boat Rental Fees
210.35	Docking Fees
210.40	Additional Information

AUTHORITY: Implementing and authorized by Sections 63a14, 63a15, 63a21, and 63a22 of the Civil Administrative Code of Illinois [20 ILCS 805/63a14, 63a15, 63a21 and 63a22].

SOURCE: Adopted at 9 Ill. Reg. 2912, effective February 26, 1985; amended at 9 Ill. Reg. 10248, effective June 26, 1985; amended at 14 Ill. Reg. 2013, effective January 23, 1990; amended at 19 Ill. Reg. 16062, effective

NOV 21 1995.

Section 210.10 Safety Requirements

All boats rented by the Department of Natural Resources (DNR) ~~Conservation~~ ~~Boat~~ or concessionaire will comply with the Boat Registration and Safety Act [625 ILCS 45] ~~(Ill. Rev. Stat. 1989, ch. 95-177-pars. 311-1-1 et seq.)~~ and U.S. Coast Guard approved personal flotation devices are to be used as required by the Boat Registration and Safety Act.

(Source: Amended at 19 Ill. Reg. 16062, effective NOV 21 1995)

Section 210.30 Boat Rental Fees

The fee for rental of boats by concessionaires shall be established through the periodic concession bidding process. During the periods when the concession is not in operation, the site manager may rent State owned boats and charge the same fee as has been approved for the concessionaire. The concessions are awarded by the DNR ~~Boat~~ Property Manager in accordance with 17 Ill. Adm. Code 150. Boat rental fees at sites not managed through concessionaires shall be \$10.00 per day. Reasonable security deposits, not to exceed the replacement value of equipment, may be required on rental equipment, if approved by the DNR ~~Boat~~ Property Manager due to security risks inherent to the type of equipment or the site.

(Source: Amended at 19 Ill. Reg. 16062, effective

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

NOV 21 1995

Section 210.35 Docking Fees

A docking fee on all State owned docks not operated under a concession agreement shall be \$50.00 \$25.00 per season for all privately owned boats, except pontoon boats, for which the seasonal fee shall be \$100.00 \$50.00, except this Section does not apply to North Point Marina (see 17 Ill. Adm. Code 220). Docking fees on all docks operated under a concession agreement shall be established through the periodic concession bidding process. The DNR Department-of-Conservation shall designate a specific mooring location for each boat leasing such docking space.

(Source: Amended at 19 Ill. Reg. 16062, effective NOV 21 1995)

Section 210.40 Additional Information

Further information on rental of boats may be obtained by contacting the Concessions Section, Division of Administrative Support, 524 S. Second Street, Property-Management, 405-B--Washington--Street, Springfield, IL 62701-1787 62706.

(Source: Amended at 19 Ill. Reg. 16062, effective NOV 21 1995)

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENT(S)

- 1) Heading of the Part: Illinois Architecture Practice Act of 1989
- 2) Code Citation: 68 Ill. Adm. Code 1150
- 3) Section Numbers: Adopted Action:
1150.95 New Section
- 4) Statutory Authority: [225 ILCS 305/10 and 24].
- 5) Effective Date of Amendments: November 17, 1995
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these Amendments contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: November 17, 1995
- 9) Date Notice of Proposal Published in Illinois Register: February 10, 1995, at 19 Ill. Reg. 1180.
- 10) Has JCAR issued a Statement of Objections to these amendments? No
- 11) Difference(s) between proposal and final version: Instead of setting up a joint complaint committee with professional engineers, structural engineers and land surveyors, the proposed amendments were revised to establish separate complaint committees for each of the design professions while providing for joint meetings where they can be helpful in reviewing workloads and matters of overlapping violations.
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will these Amendments replace an Emergency Amendment currently in effect? No
- 14) Are there any Amendments pending on this Part? No
- 15) Summary and Purpose of Amendments: Section 10(f) of the Act authorizes the Architect Licensing Board to appoint a subcommittee to serve as a Complaint Committee to recommend the disposition of case files according to procedures established by rule. This rulemaking establishes those procedures in a new section.
- 16) Information and questions regarding this amended part shall be directed to:

Department of Professional Regulation

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENT(S)

Attention: Jean Courtney
 320 West Washington, 3rd Floor
 Springfield, Illinois 62786
 217/785-0800 Fax: 217/782-7645

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 68: PROFESSIONS AND OCCUPATIONS
 CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
 SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1150

ILLINOIS ARCHITECTURE PRACTICE ACT OF 1989

Section	Category I - Education Requirements and Diversified Professional Training Requirements for Individuals Whose Education Was Initiated After January 1, 1990
1150.10	
1150.20	Category II - Education Requirements and Diversified Professional Training Requirements for Individuals Whose Education Was Initiated Prior to January 1, 1990
1150.30	Application for Licensure by Examination
1150.40	Examination
1150.50	Approved Architecture Programs
1150.60	Licensure by Endorsement
1150.65	Inactive Status
1150.70	Restoration
1150.80	Corporations and Partnerships
1150.85	Acts Constituting the Practice of Architecture Pursuant to Section 5 of the Act
1150.90	Standards of Professional Conduct
1150.95	Architecture Complaint Committee
1150.100	Renewals
1150.110	Granting Variances
ILLUSTRATION A	Architect Seal Requirements
APPENDIX A	Categories of Diversified Professional Training

AUTHORITY: Implementing the Illinois Architecture Practice Act of 1989 [235 ILCS 305] and authorized by Section 60(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/60(7)].

SOURCE: Rules and Regulations Promulgated for the Administration of the Illinois Architecture Act, effective May 29, 1975; amended May 12, 1977; codified at 5 Ill. Reg. 11019; emergency amendment at 6 Ill. Reg. 916, effective January 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 7448, effective June 15, 1982; amended at 7 Ill. Reg. 7658, effective June 15, 1983; amended at 9 Ill. Reg. 5691, effective April 16, 1985; amended at 11 Ill. Reg. 14077, effective August 5, 1987; transferred from Chapter I, 68 Ill. Adm. Code 150 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1150 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2933; amended at 16 Ill. Reg. 3143, effective February 14, 1992; amended at 17 Ill. Reg. 1554, effective January 25, 1993; amended at 18 Ill. Reg. 10736, effective June 27, 1994; amended at 19 Ill. Reg. **16066**, effective NOV 17 1995.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENT(S)

Section 1150.95 Architecture Complaint Committee

- a) The Architecture Complaint Committee of the Architecture Licensing Board, authorized by Sections 10 and 24 of the Act, shall be composed of at least 2 members of the Architecture Licensing Board, a Supervisor over Design Investigations and a Chief of Prosecutions over Design Prosecutions. The Director of Enforcement shall designate the Supervisor and Chief assigned to the Complaint Committee.
- b) The Complaint Committee shall meet at least once every 2 months to exercise its functions and duties set forth in subsection (c) below. The Complaint Committee may meet concurrently with the Complaint Committees of the Land Surveyors Examining Board, the State Board of Professional Engineers and the Structural Engineering Board to discuss interrelated professional matters. The Complaint Committee shall make every effort to consider expeditiously and take prompt action on each item on its agenda.
- c) The Complaint Committee shall have the following duties and functions:
- 1) To review investigative case files after an initial inquiry into the involved parties and their licensure status have been obtained. "Case file" means the allegation made against an involved party that resulted in a preliminary inquiry and other information being obtained in order to determine whether an investigation should be initiated or prosecution pursued. A "Formal Complaint" means the notice of allegations and charges or basis for licensure denial which begins the formal proceedings.
 - 2) To refer the case file to the Supervisor over the Design Investigators for further action. The Complaint Committee shall give the Supervisor an indication as to the prosecutorial merit and relative severity of the allegations to aid in the prioritization of investigative activity.
 - 3) To recommend that a case file be closed.
 - 4) To recommend that an Administrative Warning Letter be issued and the case file closed.
 - 5) To refer the case file to Prosecutions for review and action.
 - 6) To report the actions of the Complaint Committee at each Board meeting and to present enforcement statistics such as the type of alleged violation.
- d) In determining what action to take or whether to proceed with investigation and prosecution of a case file, the Complaint Committee shall consider the following factors, but not be limited to: the effect on the public's health, safety and welfare; the sufficiency of the evidence presented; prosecutorial merit; and sufficient cooperation from complaining parties.
- e) At any time after referral to Prosecutions, the Department may enter into negotiations to resolve issues informally by way of a Consent Order. Factors to be considered in deciding whether to enter into settlement negotiations shall include, but not be limited to: the effect on the public's health, safety and welfare caused by the

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENT(S)

- respondent's alleged conduct; sufficient investigation of the case; prosecutorial merit; relative severity of the respondent's alleged conduct; and past practices of the Department.
- f) No file shall be closed nor Formal Complaint dismissed except upon recommendation of the Complaint Committee and/or approval by the Architecture Licensing Board. Those case files that previously have been before the Board and are the subject of a Consent Order or Formal Order of the Director may be closed without further recommendation or approval of the Architecture Licensing Board or the Complaint Committee.
- g) Disqualification of an Architecture Licensing Board member.
- 1) A Board member shall be recused from consideration of a case file or Formal Complaint when the Board member determines that a conflict of interest or prejudice would prevent that Board member from being fair and impartial.
 - 2) Participation in the initial stages of the handling of a case file, including participation on the Complaint Committee and in informal conferences, shall not bar a Board member from future participation or decision making relating to that case file.
 - h) An informal conference is the procedure established by the Department that may be used for compliance review, fact finding, discussion of the issues, resolving case files, licensing issues or conflicts prior to initiating any Formal Complaint or formal hearing. An informal conference may only be conducted upon agreement of both parties. Informal conferences shall be conducted by a Department attorney and shall include a member(s) of the Board. Board members shall be scheduled for informal conferences on a rotating basis.

(Source: ~~Added~~ 7 1995 19 Ill. Reg. 16066, effective

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENT(S)

1) Heading of the Part: Illinois Professional Land Surveyor Act of 1989

2) Code Citation: 68 Ill. Adm. Code 1270

3) Section Numbers: Adopted Action:

1270.55 New Section

4) Statutory Authority: [225 ILCS 330/8 and 29].

5) Effective Date of Amendments: November 17, 1995

6) Does this rulemaking contain an automatic repeal date? No

7) Do these Amendments contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: November 17, 1995

9) Date Notice of Proposal Published in Illinois Register: February 10, 1995,
at 19 Ill. Reg. 1185.

10) Has JCAR issued a Statement of Objections to these amendments? No

11) Difference(s) between proposal and final version:

Instead of setting up a joint complaint committee with professional engineers, structural engineers and architects, the proposed amendments were revised to establish separate complaint committees for each of the design professions while providing for joint meetings where they can be helpful in reviewing workloads and matters of overlapping violations.

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? No agreement letter with JCAR was necessary for this rulemaking.

13) Will these Amendments replace an Emergency Amendment currently in effect?
No

14) Are there any Amendments pending on this Part? No

15) Summary and Purpose of Amendments:

Section 8(f) of the Act authorizes the Land Surveyors Examining Board to appoint a subcommittee to serve as a Complaint Committee to recommend the disposition of case files according to procedures established by rule. This rulemaking establishes those procedures in a new section.

16) Information and questions regarding this amended part shall be directed

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENT(S)

to:

Department of Professional Regulation
Attention: Jean Courtney
320 West Washington, 3rd Floor
Springfield, Illinois 62786
217/785-0800 Fax: 217/782-7645

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1270

ILLINOIS PROFESSIONAL LAND SURVEYOR ACT OF 1989

Section	
1270.5	Application for Licensure as a Professional Land Surveyor-in-Training by Examination
1270.10	Application for Licensure as a Professional Land Surveyor by Examination
1270.13	Experience
1270.15	Definition of Related Sciences
1270.20	Examinations
1270.30	Endorsement
1270.35	Inactive Status
1270.40	Restoration
1270.45	Corporations and Partnerships
1270.50	Renewals
1270.55	Land Surveyor Complaint Committee
1270.60	Granting Variances

AUTHORITY: Implementing the Illinois Professional Land Surveyor Act of 1989 [225 ILCS 330] and authorized by Section 60(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/60(7)].

SOURCE: Rules and Regulations promulgated for the Administration of the Illinois Land Surveyors Act, effective April 27, 1967; 2 Ill. Reg. No. 50, page 64, effective December 11, 1978; codified at 5 Ill. Reg. 11039; codified and amended at 5 Ill. Reg. 14171, effective December 3, 1981; emergency amendment amended at 6 Ill. Reg. 916, effective January 6, 1982, for a maximum of 150 days; 8 Ill. Reg. 5365, effective April 12, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15485, effective August 10, 1984; amended at 11 Ill. Reg. 1615, effective January 6, 1987; amended at 11 Ill. Reg. 4763, effective March 10, 1987; recodified from Chapter I, 68 Ill. Adm. Code 270 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1270 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2950; amended at 15 Ill. Reg. 5258, effective April 2, 1991; amended at 16 Ill. Reg. 15548, effective September 28, 1992; amended at 18 Ill. Reg. 5900, effective April 5, 1994; amended at 18 Ill. Reg. 14730, effective September 19, 1995;
 NOV 17 1995

Section 1270.55 Land Surveyor Complaint Committee

- a) The Land Surveyor Complaint Committee of the Land Surveyors Examining

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENT(S)

Board authorized by Sections 8 and 29 of the Act shall be composed of 2 members of the Land Surveyors Examining Board, a Supervisor over Design Investigations and Chief of Prosecutions over Design Prosecutions. The Director of Enforcement shall designate the Supervisor and Chief assigned to the Complaint Committee.

- b) The Complaint Committee shall meet at least once every 2 months to exercise its functions and duties set forth in subsection (c) below. The Complaint Committee may meet concurrently with the Complaint Committees of the Architecture Licensing Board, the State Board of Professional Engineers and the Structural Engineering Board to discuss interrelated professional matters. The Complaint Committee shall make every effort to consider expeditiously and take prompt action on each item on its agenda.
- c) The Complaint Committee shall have the following duties and functions:
- 1) To review investigative case files after an initial inquiry into the involved parties and their licensure status have been obtained. "Case file" means the allegation made against an involved party that resulted in a preliminary inquiry and other information being obtained in order to determine whether an investigation should be initiated or prosecution pursued. A "Formal Complaint" means the notice of allegations and charges or basis for licensure denial which begins the formal proceedings.
 - 2) To refer the case file to the Supervisor over the Design Investigators for further action. The Complaint Committee shall give the Supervisor an indication as to the prosecutorial merit and relative severity of the allegations to aid in the prioritization of investigative activity.
 - 3) To recommend that a case file be closed.
 - 4) To recommend that an Administrative Warning Letter be issued and the case file closed.
 - 5) To refer the case file to Prosecutions for review and action.
 - 6) To report the actions of the Complaint Committee at each Examining Board meeting and to present enforcement statistics such as the type of alleged violation.
- d) In determining what action to take or whether to proceed with investigation and prosecution of a case file, the Complaint Committee shall consider the following factors, but not be limited to: the effect on the public's health, safety and welfare; the sufficiency of the evidence presented; prosecutorial merit; and sufficient cooperation from complaining parties.
- e) At any time after referral to Prosecutions, the Department may enter into negotiations to resolve issues informally by way of a Consent Order. Factors to be considered in deciding whether to enter into settlement negotiations shall include, but not be limited to: the effect on the public's health, safety and welfare caused by the respondent's alleged conduct; sufficient investigation of the case; prosecutorial merit; relative severity of the respondent's alleged conduct; and past practices of the Department.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENT(S)

- f) No file shall be closed nor Formal Complaint dismissed except upon recommendation of the Complaint Committee and/or approval by the Land Surveyors Examining Board. Those case files that previously have been before the Board and are the subject of a Consent Order or Formal Order of the Director may be closed without further recommendation or approval of the Land Surveyors Examining Board or the Complaint Committee.
- g) Disqualification of a Land Surveyors Examining Board member.
 1) A Board member shall be recused from consideration of a case file or Formal Complaint when the Board member determines that a conflict of interest or prejudice would prevent that Board member from being fair and impartial.
- 2) Participation in the initial stages of the handling of a case file, including participation on the Complaint Committee and in informal conferences, shall not bar a Board member from future participation or decision making relating to that case file.
- h) An informal conference is the procedure established by the Department that may be used for compliance review, fact finding, discussion of the issues, resolving case files, licensing issues or conflicts prior to initiating any Formal Complaint or formal hearing. An informal conference may only be conducted upon agreement of both parties. Informal conferences shall be conducted by a Department attorney and shall include a member(s) of the Board. Board members shall be scheduled for informal conferences on a rotating basis.

(Source: Nov 7 1995 19 Ill. Reg. 16071, effective _____)

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: The Professional Engineering Practice Act of 1989
- 2) Code Citation: 68 Ill. Adm. Code 1380
- 3) Section Number: Adopted Action:
 1380.305 New Section
- 4) Statutory Authority: The Professional Engineering Practice Act of 1989 [225 ILCS 325]
- 5) Effective Date of Amendments: November 17, 1995
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these Amendments contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: November 17, 1995
- 9) Date Notice of Proposal Published in Illinois Register: February 10, 1995, at 19 Ill. Reg. 1190
- 10) Has JCAR issued a Statement of Objections to these amendments? No
- 11) Difference(s) between proposal and final version: Instead of setting up a joint committee with structural engineers, architects and land surveyors, the proposed amendments were revised to establish separate complaint committees for each of the design professions while providing for joint meetings where they can be helpful in reviewing workloads and matters of overlapping violations.
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will these Amendments replace Emergency Amendments currently in effect? No
- 14) Are there any Amendments pending on this Part? No
- 15) Summary and Purpose of Amendments: Section 7(b) of the Act authorizes the State Board of Professional Engineers to appoint a subcommittee to recommend the disposition of case files according to procedures established by rule. This rulemaking establishes those procedures in a new Section.
- 16) Information and questions regarding this amended part shall be directed to:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

Department of Professional Regulation
 Attention: Jean Courtney
 320 West Washington, 3rd Floor
 Springfield, Illinois 62786
 217/785-0800 Fax #: 217/782-7645

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

TITLE 68: PROFESSIONS AND OCCUPATIONS
 CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
 SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1380

THE PROFESSIONAL ENGINEERING PRACTICE ACT OF 1989

Section

- 1380.210 Approved Engineering Program
- 1380.220 Definition of Degree in Basic Engineering or Related Science
- 1380.230 Approved Experience
- 1380.240 Application for Enrollment as an Engineer Intern by Examination
- 1380.250 Application for Licensure as a Professional Engineer by Examination
- 1380.260 Examination
- 1380.270 Restoration
- 1380.280 Endorsement
- 1380.285 Inactive Status
- 1380.290 Corporations and Partnerships
- 1380.300 Standards of Professional Conduct
- 1380.305 Professional Engineer Complaint Committee
- 1380.310 Renewals
- 1380.320 Granting Variances

APPENDIX A

Significant Dates for the Administration of Section 19 of the Act - Endorsement

AUTHORITY: Implementing the Professional Engineering Practice Act of 1989 [225 ILCS 325] and authorized by Section 60(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/60(7)].

SOURCE: Rules and Regulations promulgated for the Administration of the Illinois Professional Engineering Act, effective March 10, 1976; codified at 5 Ill. Reg. 11055; codified and amended at 5 Ill. Reg. 14171, effective December 3, 1981; emergency amendment at 6 Ill. Reg. 916, effective January 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 7448, effective June 15, 1982; Part repealed at 9 Ill. Reg. 10038, effective June 18, 1985; new Part adopted at 9 Ill. Reg. 10040, effective June 18, 1985; amended at 10 Ill. Reg. 19507, effective November 5, 1986; amended at 11 Ill. Reg. 8767, effective April 20, 1987; recodified from Chapter I, 68 Ill. Adm. Code 380 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1380 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2942; amended at 14 Ill. Reg. 247, effective December 28, 1990; amended at 15 Ill. Reg. 17729, effective November 26, 1991; amended at 16 Ill. Reg. 15553, effective September 28, 1992; amended at 18 Ill. Reg. 14737, effective September 19, 1994; amended at 19 Ill. Reg. 16176, effective

NOV 17 1995

Section 1380.305 Professional Engineer Complaint Committee

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

- a) The Professional Engineer Complaint Committee of the State Board of Professional Engineers authorized by Sections 7 and 26 of the Act shall be composed of 2 members the State Board of Professional Engineers, a Supervisor over Design Investigations and a Chief of Prosecutions over Design Prosecutions. The Director of Enforcement shall designate the Supervisor and Chief assigned to the Complaint Committee.
- b) The Complaint Committee shall meet at least once every 2 months to exercise its functions and duties set forth in subsection (c) below. The Complaint Committee may meet concurrently with the Complaint Committees of the Architecture Licensing Board, Land Surveyors Examining Board and the Structural Engineering Board to discuss interrelated professional matters. The Complaint Committee shall make every effort to consider expeditiously and take prompt action on each case file.
- c) The Complaint Committee shall have the following duties and functions:
- 1) To review investigative case files after an initial inquiry into the involved parties and their licensure status have been obtained. "Case file" means the allegation made against an involved party that resulted in a preliminary inquiry and other information being obtained in order to determine whether an investigation should be initiated or prosecution pursued. A "Formal Complaint" means the notice of allegations and charges or basis for licensure denial which begins the formal proceedings.
 - 2) To refer the case file to the Supervisor over the Design Investigators for further action. The Complaint Committee shall give the Supervisor an indication as to the prosecutorial merit and relative severity of the allegations to aid in the prioritization of investigative activity.
 - 3) To recommend that a case file be closed.
 - 4) To recommend that an Administrative Warning Letter be issued and the case file closed.
 - 5) To refer the case file to Prosecutions for review and action.
 - 6) To report the actions of the Complaint Committee at each Board meeting and to present enforcement statistics such as the type of alleged violation.
- d) In determining what action to take or whether to proceed with investigation and prosecution of a case file, the Complaint Committee shall consider the following factors, but not be limited to: the effect on the public's health, safety and welfare; the sufficiency of the evidence presented; prosecutorial merit; and sufficient cooperation from complaining parties.
- e) At any time after referral to Prosecutions, the Department may enter into negotiations to resolve issues informally by way of a Consent Order. Factors to be considered in deciding whether to enter into settlement negotiations shall include, but not be limited to: the effect on the public's health, safety and welfare caused by the respondent's alleged conduct; sufficient investigation of the case;

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

- prosecutorial merit; relative severity of the respondent's alleged conduct; and past practices of the Department.
- f) No file shall be closed nor Formal Complaint dismissed except upon recommendation of the Complaint Committee and/or approval by the State Board of Professional Engineers. Those case files that previously have been before the Board and are the subject of a Consent Order or Formal Order of the Director may be closed without further recommendation or approval of the State Board of Professional Engineers or the Complaint Committee.
- g) Disqualification of a State Board of Professional Engineers member.
- 1) A Board member shall be recused from consideration of a case file or Formal Complaint when the Board member determines that a conflict of interest or prejudice would prevent that Board member from being fair and impartial.
 - 2) Participation in the initial stages of the handling of a case file, including participation on the Complaint Committee and in informal conferences, shall not bar a Board member from future participation or decision making relating to that case file.
 - h) An informal conference is the procedure established by the Department that may be used for compliance review, fact finding, discussion of the issues, resolving case files, licensing issues or conflicts prior to initiating any Formal Complaint or formal hearing. An informal conference may only be conducted upon agreement of both parties. Informal conferences shall be conducted by a Department attorney and shall include a member(s) of the Board. Board members shall be scheduled for informal conferences on a rotating basis.

(Source: Added at 19 Ill. Reg. 16076, effective November 7, 1995)

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

Department of Professional Regulation
Attention: Jean Courtney
320 West Washington, 3rd Floor
Springfield, Illinois 62786
217/785-0800 Fax: 217/782-7645

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: The Structural Engineering Licensing Act of 1989
- 2) Code Citation: 68 Ill. Adm. Code 1480
- 3) Section Numbers: Adopted Action:
1480.215 New Section
- 4) Statutory Authority: The Structural Engineering Licensing Act of 1989 [225 ILCS 340].
- 5) Effective Date of Amendments: November 17, 1995
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these Amendments contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: November 17, 1995
- 9) Date Notice of Proposal Published in Illinois Register: February 10, 1995, at 19 Ill. Reg. 1195.
- 10) Has JCAR issued a Statement of Objections to these Rules? No
- 11) Difference(s) between proposal and final version: Instead of setting up a joint committee with architects, land surveyors and professional engineers, the proposed amendments were revised to establish separate complaint committees for each of the design professions while providing for joint meetings where they can be helpful in reviewing workloads and matters of overlapping violations.
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will these Amendments replace Emergency Amendments currently in effect? No
- 14) Are there any Amendments pending on this Part? No
- 15) Summary and Purpose of Amendments: Section 8(e) of the Act authorizes the Structural Engineering Board to appoint a subcommittee to serve as a Complaint Committee to recommend the disposition of case files according to procedures established by rule. This rulemaking establishes those procedures in a new Section.
- 16) Information and questions regarding these Adopted Amendments shall be directed to:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1480

THE STRUCTURAL ENGINEERING LICENSING ACT OF 1989

Section

- 1480.10 Statutory Authority (Repealed)
- 1480.20 Licensure (Repealed)
- 1480.30 Approved Education Qualifications (Repealed)
- 1480.40 Approved Experience Qualifications (Repealed)
- 1480.45 Renewals (Renumbered)
- 1480.50 Restoration of Expired Certificate (Repealed)
- 1480.60 Granting Variances (Renumbered)
- 1480.60 Granting Structural Engineering Curriculum
- 1480.110 Definition of Degree in Related Science
- 1480.120 Approved Experience
- 1480.130 Application for Licensure by Examination
- 1480.140 Examination
- 1480.150 Restoration
- 1480.160 Endorsement
- 1480.170 Inactive Status
- 1480.180 Renewals
- 1480.190 Corporations and Partnerships
- 1480.200 Standards of Professional Conduct
- 1480.210 Structural Engineer Complaint Committee
- 1480.215 Granting Variances (Renumbered)
- 1480.220

AUTHORITY: Implementing the Structural Engineering Licensing Act of 1989 [225 ILCS 340] and authorized by Section 60(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/60(7)].

SOURCE: Adopted at 4 Ill. Reg. 22, p. 242, effective May 15, 1980; amended at 4 Ill. Reg. 44, p. 475, effective October 20, 1980; codified at 5 Ill. Reg. 11068; codified and amended at 5 Ill. Reg. 14171, effective December 3, 1981; emergency amendment at 6 Ill. Reg. 916, effective January 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 7448, effective June 15, 1982; transferred from Chapter I, 68 Ill. Adm. Code 480 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1480 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2947; emergency amendment at 13 Ill. Reg. 5781, effective April 5, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 13891, effective August 22, 1989; amended at 15 Ill. Reg. 7081, effective April 29, 1991; amended at 17 Ill. Reg. 11162, effective July 1, 1993; amended at 18 Ill. Reg. 14751, effective September 19, 1994; amended at 18 Ill. Reg. 2309, effective February 14, 1995; amended at 19 Ill. Reg. 16031, effective

NOV 17 1995

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

Section 1480.215 Structural Engineer Complaint Committee

- a) The Structural Engineer Complaint Committee of the Structural Engineering Board, authorized by Sections 8 and 22 of the Act, shall be composed of 2 members of the Structural Engineering Board, a Supervisor over Design Investigations and a Chief of Prosecutions over Design Prosecutions. The Director of Enforcement shall designate the Supervisor and Chief assigned to the Complaint Committee.
- b) The Complaint Committee shall meet at least once every 2 months to exercise its functions and duties set forth in subsection (c) below. The Complaint Committee may meet concurrently with the Complaint Committees of the Architecture Licensing Board, the Land Surveyors Examining Board and the State Board of Professional Engineers to discuss interrelated professional matters. The Complaint Committee shall make every effort to consider expeditiously and take prompt action on each item on its agenda.
- c) The Complaint Committee shall have the following duties and functions:
 - 1) To review investigative case files after an initial inquiry into the involved parties and their licensure status have been obtained. "Case file" means the allegation made against an involved party that resulted in a preliminary inquiry and other information being obtained in order to determine whether an investigation should be initiated or prosecution pursued. A "Formal Complaint" means the notice of allegations and charges or basis for licensure denial which begins the formal proceedings.
 - 2) To refer the case file to the Supervisor over the Design Investigators for further action. The Complaint Committee shall give the Supervisor an indication as to the prosecutorial merit and relative severity of the allegations to aid in the prioritization of investigative activity.
 - 3) To recommend that a case file be closed.
 - 4) To recommend that an Administrative Warning Letter be issued and the case file closed.
 - 5) To refer the case file to Prosecutions for review and action.
 - 6) To report the actions of the Complaint Committee at each Board meeting and to present enforcement statistics such as the type of alleged violation
- d) In determining what action to take or whether to proceed with investigation and prosecution of a case file, the Complaint Committee shall consider the following factors, but not be limited to: the effect on the public's health, safety and welfare; the sufficiency of the evidence presented; prosecutorial merit; and sufficient cooperation from complaining parties.
- e) At any time after referral to Prosecutions, the Department may enter into negotiations to resolve issues informally by way of a Consent Order. Factors to be considered in deciding whether to enter into settlement negotiations shall include, but not be limited to: the effect on the public's health, safety and welfare caused by the

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: WIC Vendor Management Code
- 2) Code Citation: 77 Ill. Adm. Code 672
- 3) Section Numbers: Adopted Action:

672.100	Amendment
672.105	Amendment
672.200	Amendment
672.400	Amendment
672.405	Amendment
672.500	Amendment
672.505	Amendment
672.510	Amendment

4) Statutory Authority: Implementing and authorized by the WIC Vendor Management Act [410 ILCS 255].

5) Effective Date of Amendments: November 20, 1995

6) Does this Rulemaking Contain an Automatic Repeal Date? No

7) Does this Rulemaking Contain any Incorporation by Reference? No

8) Date Filed in Agency's Principal Office: November 20, 1995

9) Date Notice of Proposed Amendments was Published in the Illinois Register: 19 Ill. Reg. 7126 - May 26, 1995

10) Has the Joint Committee on Administrative Rules Issued a Statement of Objection to this Rulemaking? No

11) Difference Between Proposal and Final Version: The following language has been added to Section 672.200 as a new subsection (c):

- c) If a region has the minimum number of vendors (see subsection (a) of this Section, an application shall not be offered to a potential Applicant vendor at a Vendor Site where, during the previous three years, a vendor has been terminated or has consented to withdraw in lieu of termination.

The following new subsection has been added to Section 672.400:

- b) Probationary Authorization.

- 1) The Department may issue probationary WIC authorization to a Vendor for a period of time not longer than 30 days from the date the probationary authorization is approved. This

DEPARTMENT OF PROFESSIONAL REGULATION
NOTICE OF ADOPTED AMENDMENTS

respondent's alleged conduct; sufficient investigation of the case; prosecutorial merit; relative severity of the respondent's alleged conduct; and past practices of the Department.

- f) No file shall be closed nor Formal Complaint dismissed except upon recommendation of the Complaint Committee and/or approval by the Structural Engineering Board. Those case files that previously have been before the Board and are the subject of a Consent Order or formal Order of the Director may be closed without further recommendation or approval of the Structural Engineering Board or the Complaint Committee.

g) Disqualification of a Structural Engineering Board member.

- 1) A Board member shall be recused from consideration of a case file or Formal Complaint when the Board member determines that a conflict of interest or prejudice would prevent that Board member from being fair and impartial.

- 2) Participation in the initial stages of the handling of a case file, including participation on the Complaint Committee and in informal conferences, shall not bar a Board member from future participation or decision making relating to that case file.

- h) An informal conference is the procedure established by the Department that may be used for compliance review, fact finding, discussion of the issues, resolving case files, licensing issues or conflicts prior to initiating any Formal Complaint or formal hearing. An informal conference may only be conducted upon agreement of both parties. Informal conferences shall be conducted by a Department attorney and shall include a member(s) of the Board. Board members shall be scheduled for informal conferences on a rotating basis.

(Source: Added at 19 Ill. Reg. 16081, effective Nov 17 1995)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

probationary authorization may be issued by the Department only if there are extenuating and unusual circumstances whereby the loss or lack of an authorized WIC vendor in a certain area would cause an unnecessary hardship on WIC participants.

2) The notice of a thirty (30) day probationary authorization shall state the reasons for the issuance of this interim contract and authorization. All requirements for full WIC authorization must be completed during this probationary period. All sections of the WIC Act and Code will be in force during this probationary authorization period.

3) Extenuating and unusual circumstances shall include but not be limited to:

- A) natural disasters, and
- B) change in ownership involving 10 or more stores formed under the same corporate entity. In this situation, the new owner must notify the Department as soon as possible or no later than 2 weeks prior to the date of change of ownership. This notification must be made by certified mail stating the names and locations of the store sites.

In Section 672.505(a)(Class A violations) the phrase "excluding infant formula" has been deleted from subsection (a)(15), subsections (a)(16) and (17) have been deleted, and subsections (a)(18) through (24) have been renumbered accordingly.

A new subsection (10) has been added to Section 672.505(b) (Class B violations) as follows:

- 10) Acceptance of WIC Food Instrument(s) that is signed by a Participant, a Proxy or a Department Representative before the total actual cost is filled in by the Vendor.

In addition, various technical, grammatical, and editorial changes have been made in response to recommendations of the Joint Committee on Administrative Rules and the Administrative Code Division.

12) Have all the changes agreed upon by the Agency and the Joint Committee been made as indicated in the agreement letter issued by the Joint Committee? All changes requested by the Joint Committee on Administrative Rules have been made.

13) Will the Rulemaking Replace an Emergency Rule Currently in Effect? No

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

14) Are there any other Amendments Pending on this Part? No

15) Summary and Purpose of Rulemaking: The WIC Vendor Management Code establishes authorization, limitation, education and compliance review of WIC retail vendors by the Department. The rules enable the Department to carry out its responsibilities of fiscal management and accountability for the food delivery system under its jurisdiction.

This rulemaking clarifies references to federal regulations applicable to WIC vendors and changes the time period for vendor reapplication from at least once every two years to at least once every three years. A provision specifying that the Department will conduct an investigation of alleged violations of laws and regulations governing the WIC program has been changed to a review of alleged violations, in response to an audit finding received by the Department. The vendor violation of charging the Department more than the lesser amount of 95% of the maximum value of a food instrument or the lowest shelf price for WIC food items is being deleted from Section 672.505(a)(24) because this provision is redundant of Section 672.200(b).

Additionally, the rules have been revised to specify that if a region has the minimum number of vendors an application shall not be offered to a potential applicant vendor at a vendor site where, during the previous three years, a vendor has been terminated or has consented to withdraw in lieu of termination. Also included in the rulemaking are new procedures for probationary authorization, which may be issued in cases of extenuating or unusual circumstances during which the loss or lack of an authorized WIC vendor in a certain area would cause an unnecessary hardship on WIC participants.

16) Information and Questions Regarding this Adopted Rulemaking Should be Directed to:

Gail M. DeVito
Division of Governmental Affairs
Illinois Department of Public Health
535 West Jefferson, Fifth Floor
Springfield, Illinois 62761
(217) 782-6187

The full text of the Adopted Amendment begins on the next page:

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF ADOPTED AMENDMENTS

672.460 Voluntary Withdrawal from the WIC Vendor Contract
672.465 Notices

SUBPART E: WIC VENDOR COMPLIANCE AND SANCTIONS

Section
672.500 Compliance Monitoring Inspections
672.505 Violations
672.510 WIC Vendor Sanctions
672.515 Criteria for Termination or Suspension of Authorization, Prohibition, and/or Fine Assessment
672.520 Breach of Contract
672.525 Notice of Violation (Repealed)

SUBPART F: RULES OF PRACTICE AND PROCEDURES IN ILLINOIS WIC RETAIL VENDOR ADMINISTRATIVE HEARINGS

Section
672.600 Hearings
672.605 Parties to Hearings (Repealed)
672.610 Appearance and Representation of a Party
672.615 Commencement of an Action (Repealed)
672.620 Motions (Repealed)
672.625 Discovery (Repealed)
672.630 Form of Papers (Repealed)
672.635 Service (Repealed)
672.640 Pre-Hearing Conferences (Repealed)
672.645 Conduct of Hearings (Repealed)
672.650 Subpoenas (Repealed)
672.655 Burden of Proof (Repealed)
672.660 Administrative Law Judge's Report and Final Decision (Repealed)
672.665 Records of Proceedings (Repealed)
672.670 Miscellaneous (Repealed)

APPENDIX A Illinois Regional Map

AUTHORITY: Implementing and authorized by the WIC Vendor Management Act [410 ILCS 255].

SOURCE: Adopted at 14 Ill. Reg. 19984, effective December 1, 1990; amended at 16 Ill. Reg. 17734, effective December 15, 1992; amended at 18 Ill. Reg. 2450, effective February 1, 1994; emergency amendment at 18 Ill. Reg. 13125, effective August 12, 1994, for a maximum of 150 days; amended at 19 Ill. Reg. 606, effective January 9, 1995; amended at 19 Ill. Reg. 16036, effective January 9, 1995.

SUBPART A: GENERAL PROVISIONS

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF ADOPTED AMENDMENTS

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER I: MATERNAL AND CHILD HEALTH

PART 672
WIC VENDOR MANAGEMENT CODE
SUBPART A: GENERAL PROVISIONS

Section
672.100 Definitions
672.105 Incorporated and Referenced Materials
672.110 Purpose
672.115 Application of These Rules

SUBPART B: WIC VENDOR APPLICATION AND AUTHORIZATION PROCESS

Section
672.200 Geographic Distribution and Number of Vendors
672.205 Application Procedures
672.210 Authorization Criteria and Procedures
672.215 WIC Food List and Quantities
672.220 Criteria for Denial of Authorization
672.225 Denial of Authorization

SUBPART C: WIC VENDOR EDUCATION

Section
672.300 Initial WIC Retail Training by the Department
672.305 Initial WIC Retail Training by a Vendor
672.310 Annual WIC Retail Training Program
672.315 Compliance Training Workshop (Repealed)

SUBPART D: WIC VENDOR AUTHORIZATION AND RESPONSIBILITIES

Section
672.400 Authorization
672.405 WIC Vendor Contract Requirement
672.410 Expiration of WIC Vendor Authorization and Contract
672.415 Food Instrument Processing
672.420 Specifications for Rejection of Food Instruments
672.425 WIC Retail Vendor Responsibilities
672.430 Payment Obligation
672.435 Conflict of Interest
672.440 Unlawful Discrimination
672.445 Amendments Resulting From a Change in Statute or Regulation
672.450 Assignment or Transfer
672.455 Civil Law Suits

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF ADOPTED AMENDMENTS

the Illinois Administrative Procedure Act- (iii--Rev--Stat--1991--ch-
127--par--1001-30) [5 ILCS 100/1-30].

"Corporate Officer" means the identity of the officer of a Corporation as set forth in its Articles of Incorporation as filed with the Secretary of State wherein such entity is incorporated.

"CSFP" means the Commodity Supplemental Food Program which is a Federal food assistance program through which the Department or its Representative provide U.S. Government commodities to low-income women, infants and children and eligible elderly.

"Department" means the Illinois Department of Public Health. (Section 3(a) of the Act)

"Department Estimated Cost" means estimated prices based on indicators including wholesale prices for WIC foods and the self reported Vendor prices on the Vendor Retail Price Survey, which are averaged and weighted by Store Type and Region.

"Department Representative" or "Representative of the Department" means an employee or authorized agent of the Department.

"Director" means the Director of the Illinois Department of Public Health or designee.

"Expired Food" means a WIC Food item available to WIC Participants on a store shelf which exceeds the stamped date printed on the food item and labeled as one of the following: expiration date, "Sell By" date, "Best If Used By" date, or "Best When Purchased By" date, printed on the item.

"Food Instrument" or "FI" means a negotiable voucher issued by a Local Agency that specifies the quantity, size and type of authorized foods available to a WIC Participant within a designated time period, which can subsequently be taken to a Vendor in exchange for the specified quantities of food.

"Food Voucher" means Food Instrument.

"Grocery Store" means a fixed and permanent retail store whose primary business is the sale of food.

"IAPA" means the Illinois Administrative Procedure Act- (iii--Rev--Stat--1991--ch-127--par--1001-1-et-seq) [5 ILCS 100].

"Illinois WIC Retail Food Delivery System" means the system in which Participants obtain WIC foods by submitting a Food Voucher to a WIC

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF ADOPTED AMENDMENTS

Section 672.100 Definitions

"Act" means the WIC Vendor Management Act- (iii--Rev--Stat--1991--ch-111-1/2--par--7551-et-seq) [410 ILCS 255].

"Administrative Law Judge" means any person appointed by the Director to preside at an Administrative Hearing.

"Administrative Warning" means a written notice which describes the nature of a violation to the WIC Program and a request for correction of the violation.

"Applicant" means the individual, partnership, limited partnership, unincorporated association, or corporation applying to be a WIC Retail Vendor.

"Applicant's Composite Food Package Cost" means an amount determined by first multiplying the quantity of each WIC Food item in the Composite Market Basket times the Applicant's lowest shelf price for each item as determined during the Retail Vendor Price Survey. These totals are then added together to determine the cost of all items in the Composite Market Basket. In determining the lowest shelf price for juice, cheese and cereal, the Department will use the average of the lowest shelf prices of the two varieties which the Department has determined are the most frequently received varieties of that WIC Food item. If the Applicant has no supply of one or both of the most frequently received varieties, the Department will use the one or two varieties with the lowest shelf price. In determining the lowest shelf price for infant formula, the Department will use a weighted average of the lowest shelf prices for the WIC approved brands, taking into account the percentage of each brand used by WIC Participants.

"Application" means the application forms and other required materials submitted by a Business Entity to notify the Department that the Business Entity desires to become a WIC Retail Vendor.

"Authorization" means the approval of an Applicant who has met the WIC Vendor criteria and possesses a properly executed, valid WIC Vendor Contract as a WIC Retail Vendor.

"Business Entity" means the retail business which an Applicant or authorized WIC Vendor operates at a particular Vendor Site.

"Composite Market Basket" means those quantities of WIC Food items received by a statistically average WIC Participant over a one month period.

"Contested Case" shall have the meaning ascribed it in Section 1-30 of

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF ADOPTED AMENDMENTS

"Region" means a geographic area in the State of Illinois which is identified by specific boundaries determined by the Department. (See Section 672. Appendix A.)

"Regional Average Composite Food Package Cost" means an amount determined by first multiplying the quantity of each WIC Food item in the Composite Market Basket times the average regional shelf price for that item as derived from the Retail Vendor Price Survey for that region weighted to reflect the distribution of Store Types in the Region. These totals are then added together to determine the regional average cost of all items in the Composite Market Basket.

"Retail Vendor Price Survey" means the current prices, reported to the Department, by a Vendor or a Department Representative, as charges for WIC Foods.

"Store Type" means the classification of WIC Retail Vendors by the number of active customer check-out lanes/cash registers. One or two lanes is a type 1 Vendor Site. Three or four lanes is a type 2 Vendor Site. Five to seven lanes is type 3 Vendor Site. Eight or more lanes is a type 4 Vendor Site. A Pharmacy is a type 5 Vendor Site and a WIC Food Center is a type 6 Vendor Site.

"USDA" means the United States Department of Agriculture.

"USDA WIC Regulations" means the Regulations of the United States Department of Agriculture, Food and Consumer Nutrition Service, Special Supplemental Nutrition Food Program for Women, Infants, and Children as updated. [7 CFR 246 (1990)].

"Valid WIC Retail Vendor Contract" means a contract that is binding only between the Department and the officer, partner or sole proprietor who originally signed the Vendor Application and Vendor Contract.

"Vendor" or "WIC Retail Vendor" means the individual, partnership, limited partnership, unincorporated association, or corporation authorized by the Department to accept Food Instruments and to provide supplemental food to WIC Participants, Proxies of WIC Participants or Department Representatives.

"Vendor Number" means the number assigned to an authorized Vendor by the Department for validating Food Instruments.

"Vendor Site" means a fixed and permanent location, operating as a Business Entity, listed in the WIC Vendor Application, which has been authorized by the Department for purposes of delivery of WIC Foods to WIC Participants or the Proxy of a WIC Participant.

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF ADOPTED AMENDMENTS

Retail Vendor.

"Invalid Vendor" is a rejection label which means a Food Instrument deposited or mailed by a Vendor which has been encoded and rejected by the Department's contract bank for the following reasons: the Food Instrument has not been stamped with the Vendor Number, the Vendor Number is unauthorized, unreadable, not in the space indicated, or a counterfeit Vendor Stamp is used. Typed or handwritten numbers shall not be accepted.

"Local Agency" means a public or private, non-profit health or human services agency which provides health services, either directly or through contract, in accordance with the USDA WIC Regulations, the Act, or this Part.

"Minimum Supply of WIC Foods" means the Department published list of the minimum required quantities, sizes, and types of WIC Foods which must be maintained in stock at all times by a Vendor.

"Participant" means authorized pregnant women, breastfeeding women, postpartum women, infants or children who are receiving supplemental foods or Food Instruments under the WIC Program.

"Participant Requested Delivery" means a Participant requested delivery of WIC approved foods from a Vendor to an address specified by the WIC Participant or Proxy.

"Participant/Vendor Ratio" means the total number of WIC Participants redeeming Food Instruments through WIC Retail Vendors in a given region divided by the total number of WIC Retail Vendors in the same region.

"Pharmacy" means any store, shop, department, or other place, at a fixed and permanent location, having the capability to dispense and sell or offer for sale at retail value by a licensed pharmacist drugs, medicines, poisons, and liquid foods, prescribed for an individual by dentists, veterinarians, and physicians licensed to practice medicine in all its branches.

"Posted Shelf Price" means the clearly displayed price of WIC Foods charged to the general public, identifying the price of the specific WIC Food item. When no price is posted, the Posted Shelf price shall be deemed to be the average price for a particular food item based on the Retail Vendor Price Survey for stores of like size and location.

"Proxy" means a person who is authorized by the Local Agency and the WIC Participant to accept and/or redeem Food Instruments on a participant's behalf.

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF ADOPTED AMENDMENTS

"Vendor Stamp" means the stamp provided to a Vendor by the Department for validating Food Instruments.

"Violation" means an infringement of Federal or State rules or statutes or local laws.

"WIC Food Centers" are WIC food distribution sites through which the Department or its Representative provide the direct distribution of WIC foods.

"WIC Food List" means the published list of the State of Illinois authorized WIC Foods.

"WIC Foods" means those competitively priced foods which have been placed on the WIC Food List, which have been determined by the Department to be nutritionally qualified for the WIC Program in the State of Illinois.

"WIC Participant Identification Card" means the card issued by a Local Agency to a Participant for purposes of the WIC Program.

"WIC Vendor Contract" means an agreement signed by the WIC Retail Vendor and the Department for the provision of WIC Foods to Participants, the Proxies of WIC Participants or Department Representatives.

"Women Infants and Children Nutrition Program" and "WIC" mean the Federal Special Supplemental Nutrition Food Program for Women Infants and Children authorized by Section 17 of the Child Nutrition Act of 1966, as amended (42 U.S.C. 1786). (Section 3(a) of the Act)

(Source: Amended at 19 Ill. Reg. 16086, effective NOV 20 1995)

Section 672.105 Incorporated and Referenced Materials

- a) The following State rules and statutes materials are referenced in various Sections of this the Part:
- 1) The WIC Vendor Management Act (~~111--Rev--Stat--1991--ch--111--1/27 par--7551-et-seq--~~) [410 ILCS 255]
 - 2) The Illinois Purchasing Act (~~111--Rev--Stat--1991--ch--127--par--132--11-et-seq--~~) [30 ILCS 505] (Sections 672.210(a)(5) and (7) and 672.435)
 - 3) Sections 33E-3 and 33E-4 of the Criminal Code of 1961 (~~111--Rev--Stat--1991--ch--38--par--33E-3-and-33E-4~~) [720 ILCS 5/33E-3 and 33E-4] (Section 672.210(a)(10))
 - 4) Section 2-102 of the Illinois Human Rights Act (~~111--Rev--Stat--1991--ch--60--par--2-102~~) [755 ILCS 5/2-102] (Section 672.440)

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF ADOPTED AMENDMENTS

- 5) Rules of Practice and Procedure in Administrative Hearings [77 Ill. Adm. Code 100].
- b) The following federal regulations materials are incorporated in various Sections of this Part:
 - 1) USA WIC regulations Regulations - Special Supplemental Food Program for Women, Infants and Children; [7 CFR 246]
 - 2) USA nondiscrimination regulations - Nondiscrimination (7 CFR 151); Education Programs or Activities Receiving or Benefiting from Federal Financial Assistance (7 CFR 15a); and Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving Federal Financial Assistance (7 CFR 15b) Code--of--Federal--Regulations--7--CFR--15a-and-15b (Section 672.440).
 - c) All incorporations by reference refer to the materials on the date specified and do not include any additions or deletions subsequent to the date specified.
 - d) All citations to federal regulations in this Part concern the specified regulation in the January 1994 Code of Federal Regulations, unless another date is specified.
 - e) Copies of all incorporated materials are available for inspection and duplication (at a fee in accordance with Section 1126.410 of the Department's Freedom of Information Code (2 Ill. Adm. Code 1126)) by the public at the Department's Central Office, Division of Health Assessment and Screening (535 West Jefferson, Springfield, Illinois 62761).

(Source: Amended 1995 19 Ill. Reg. 16086, effective NOV 20 1995)

SUBPART B: WIC VENDOR APPLICATION AND AUTHORIZATION PROCESS

Section 672.200 Geographic Distribution and Number of Vendors

Prior to offering an application to a potential Applicant vendor, the Department shall utilize Participant/Vendor Ratios and shall consider Participant needs within geographical locations to determine if the Applicant meets the Regional Participant/Vendor Ratio to be eligible for selection. The Participant/Vendor Ratio shall be calculated for the geographic regions within the State of Illinois (see Appendix A) to determine the need for WIC Retail Vendors within such regions. Participant/Vendor Ratios for each of the nine (9) regions within Illinois shall be:

- a) Regions one (1) through six (6) shall be greater than 40, but shall be less than 60. Regions seven (7) and eight (8) shall be greater than 100, but shall be less than 160. Region nine (9) shall be greater than 75, but less than 175. Upon the effective date of this Part, region nine (9) shall be greater than 145, but less than 175.
- b) With the exception of a pharmacy, if an Applicant applies for WIC Authorization in a region which has more vendors than the minimum

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF ADOPTED AMENDMENTS

3) Extenuating and unusual circumstances shall include but not be limited to:
A) natural disasters; and
B) change in ownership involving 10 or more stores formed under the same corporate entity. In this situation, the new owner must notify the Department as soon as possible or no later than two (2) weeks prior to the date of change of ownership. This notification must be made by certified mail stating the names and locations of store sites.

(Source: Amended NOV 20 1995, 19 Ill. Reg. 16086, effective NOV 20 1995)

Section 672.405 WIC Vendor Contract Requirement

All Authorizations to act as WIC Retail Vendors require a properly executed, valid written WIC Vendor Contract between the Department and the Vendor. In the retail purchase system, a standard WIC Vendor Contract shall be used statewide and shall expire annually. Exceptions to this requirement shall be made with the approval of the Director consistent with USDA WIC Regulations (7 CFR 246.12(f)(1)). Food Instruments accepted after the term of the contract expires will not be reimbursed by the Department's contract bank.

- a) A failure by a Vendor to provide any information, as specified herein, shall be deemed to constitute a material breach of contract.
- b) Currently authorized WIC Retail Vendors shall be required to submit completed applications at least once every three (3) two- (2) years.

(Source: Amended at 19 Ill. Reg. 16086, effective NOV 20 1995)

SUBPART E: WIC VENDOR COMPLIANCE AND SANCTIONS

Section 672.500 Compliance Monitoring Inspections

The Department shall develop a system for monitoring the operations of all WIC retail food vendors to ensure compliance with federal and State laws and rules governing the WIC program. The Department shall review the investigate-all alleged violations of the federal and State laws and rules promulgated thereunder. (Section 6(a) and (b) of the Act)

(Source: Amended at 19 Ill. Reg. 16086, effective NOV 20 1995)

Section 672.505 Violations

Violations shall be classified as either Class A Violations, Class B Violations, or Class C Violations. Each Class of violation is listed below.

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF ADOPTED AMENDMENTS

number of vendors allowed in the region, the Applicant shall not be authorized unless the Applicant agrees to charge the Department a maximum of ninety-five percent (95%) or less of the maximum value of the Food Instrument(s) or of the lowest shelf price for WIC food items, whichever is less, and agrees not to exceed this ninety-five percent (95%) level for more than two (2) months during the contract period of Authorization. Vendors authorized under this provision whose charges to the Department exceed ninety-five (95%) of the maximum value of the Food Instrument(s) or the lowest shelf price for WIC food items, whichever is less, shall be placed on probation for the duration of their contract period. In addition, such Vendors shall reimburse the Department for the difference between the amount received and ninety-five percent (95%) or less of the maximum value of the Food Instrument(s) or the lowest shelf price for WIC food items, whichever is less. If the Vendors do not pay this reimbursement within thirty (30) calendar days from the date they are notified, they shall be subject to violations specified in Section 672.505(a).

- c) If a region has the minimum number of vendors (see Section 672.200(a)), an application shall not be offered to a potential Applicant vendor at a Vendor Site where, during the previous three years (3) years, a Vendor has been terminated or has consented to withdraw in lieu of termination.

(Source: Amended NOV 20 1995, 19 Ill. Reg. 16086, effective NOV 20 1995)

SUBPART D: WIC VENDOR AUTHORIZATION AND RESPONSIBILITIES

Section 672.400 Authorization

- a) Authorization. Upon successful completion of the process for Application or re-authorization, each Applicant or WIC Vendor who meets the criteria set forth in this Part shall be notified that they are approved for Authorization pending completion of a WIC Vendor Contract.

- b) Probationary Authorization.

- 1) The Department may issue probationary WIC authorization to a Vendor for a period of time not longer than thirty (30) days from the date the probationary authorization is approved. This probationary authorization may be issued by the Department only if there are extenuating and unusual circumstances whereby the loss or lack of an authorized WIC Vendor in a certain area would cause an unnecessary hardship on WIC participants.

- 2) The notice of a thirty (30) day probationary authorization shall state the reasons for the issuance of this interim contract and authorization. All requirements for full WIC authorization must be completed during this probationary period. All Sections of the WIC Act and Code will be in force during this probationary

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

a) Class A Violations:

- 1) Imposition of any of the following sanctions by the USDA Food Stamp Program:
 - A) civil money penalty
 - B) suspension
 - C) disqualification
 - D) permanent disqualification
- 2) Exchanging cash for Food Instrument(s).
- 3) Exchanging non-food items for Food Instrument(s).
- 4) Charging WIC Participants, Proxies or Department Representatives more for WIC Foods than non-WIC customers.
- 5) Charging the WIC Program for WIC Foods not received by the Participant, Proxy or Department Representative **Representatives**.
- 6) Claiming reimbursement for the sale of any amount of WIC Food which exceeds the store's documented inventory of that food for a specified period of time.
- 7) Submitting false, erroneous or inaccurate information on the application or WIC Retail Vendor Contract.
- 8) Exchanging credit for WIC Food Instrument(s).
- 9) Exchanging alcohol for WIC Food Instrument(s).
- 10) Receiving WIC Food Instrument(s) from any source other than a Participant, a Proxy or a Representative of the Department.
- 11) Transacting WIC Food Instrument(s) from any source other than a Participant, a Proxy or a Representative of the Department.
- 12) Redeeming WIC Food Instrument(s) which have been received from any source other than a Participant, a Proxy or a Representative of the Department.
- 13) Charging WIC Participants, Proxies or Department Representatives more than the Posted Shelf Price for WIC food items.
- 14) Charging the WIC Program for WIC Foods provided in excess of those listed on the WIC Food Instrument(s).
- 15) Failure to maintain the minimum required quantity, size and type foods in at least three (3) WIC Foods ~~excluding infant formula~~ as identified in the Minimum Supply of WIC Foods and specified in the WIC Vendor Contract. (See definition of "Minimum Supply of WIC Foods" in Section 672.100.)
- 16) ~~Failure to maintain the minimum required quantity, size and type of infant formula as identified in the Minimum Supply of WIC Foods and specified in the WIC Vendor Contract. (See definition of "Minimum Supply of WIC Foods" in Section 672.100.)~~
- 17) ~~Acceptance of a WIC Food Instrument that is signed by a Participant, a Proxy or a Department Representative before the total actual cost is filed in by the Vendor.~~
- 16) ~~Submission of false, erroneous or inaccurate information in the business or financial information provided to the Department, on the Retail Vendor Price Survey, or during the course of inspections of the Vendor Site.~~
- 17) ~~Refusing to allow the Department access to inspect the Vendor~~

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

Site during normal business hours.

- 18) ~~Submission of a Federal Employers Identification Number (FEIN) for the Business Entity operating as a Vendor which differs from the FEIN filed for the same Business Entity with the USDA Food Stamp Program or with the Illinois Department of Revenue.~~
- 19) ~~Failure to fulfill the terms of the WIC Vendor Contract.~~
- 20) ~~The sale, lease, assignment, transfer or discontinuation of the Business Entity or moving the Business Entity to a new location or new address without notice to, and approval of, the Department.~~
- 21) ~~Use of WIC Authorization by any unauthorized individual, corporation, partnership, limited partnership, unincorporated association or former Vendor who has improperly acquired WIC Authorization after the death of a Vendor (if an individual) or the voluntary or involuntary dissolution of a Vendor corporation, partnership, limited partnership, and unincorporated association.~~
- 24) ~~Failure to charge the Department a maximum of ninety-five percent (95%) or less of the maximum value of the Food Instruments or the lowest shelf price for WIC food items, whichever is less, for any four (4) months of a contract period of authorization.~~
- 22) ~~Failure to pay the Department the amount of any reimbursement due pursuant to Section 672.200(b).~~
- b) Class B Violations:
 - 1) Substitution of unauthorized foods not specified on the Food Instruments or WIC Food List.
 - 2) Failure to maintain the minimum required quantity, size and type foods, as identified in the Minimum Supply of WIC Foods and specified in the WIC Vendor Contract, but only if this failure is for two (2) or fewer WIC Foods excluding infant formula. (See the definition of "Minimum Supply of WIC Foods" in Section 672.100.)
 - 3) Requiring a Participant to select a different type or brand of WIC Foods when not specified on the Food Instrument.
 - 4) Altering or submitting for payment altered Food Instruments.
 - 5) Accepting any remuneration for the difference between the maximum value of the Food Instrument and the shelf price of the WIC Foods.
 - 6) Having any expired WIC Food(s) on the shelf. (See Section 672.100 "Expired Food".)
 - 7) Refusing to allow Participants, Proxies or Department Representatives to take all food items listed on the Food Instrument.
 - 8) Not posting the shelf price for WIC Foods. If no price is posted, then for purposes of this Section, the Posted Shelf Price shall be deemed to be the average price for a particular food based on the Retail Vendor Price Surveys performed pursuant to this Part, for stores of like size and location.
 - 9) The possession, the display on the shelf in the Vendor site, the attempted sale or actual sale of food products which originated

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

from date of final order by cashier certified check or money order in United States currency. If the fine assessment is not received by the Department within thirty (30) calendar days from the date of the final order, any collection fees and any other costs associated with the collection of the fine assessment shall be paid in addition to the fine.

(Source: Amended at 19 Ill. Reg. 16086, effective NOV 20 1995.)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

from the WIC Food Centers or the Commodity Supplemental Food Program (CSFP).

10) Acceptance of WIC Food Instrument(s) that is signed by a Participant, a Proxy or a Department Representative before the total actual cost is filled in by the Vendor.

c) Class C Violations:

- 1) Exchanging cash or credit for Food Instruments without a valid WIC Retail Vendor Contract.
- 2) Exchanging alcoholic beverages, food or non-food items for WIC Food Instruments without a valid WIC Retail Vendor Contract.
- 3) Exchanging WIC Food Instruments for cash, credit or favors without a valid WIC Retail Contract.

(Source: Amended at 19 Ill. Reg. 16086, effective NOV 20 1995.)

Section 672.510 WIC Vendor Sanctions

a) Any Class A Violation shall subject a Vendor to the following sanctions:

- 1) Termination from the WIC Program for a period of three years one year; and
- 2) A fine assessment of \$1,500.00; and
- 3) Reimbursement to the Department for any overcharges, charges for items not received, monies paid for products not authorized as WIC Foods, and monies paid for Food Instruments accepted without a valid contract.

b) Any Class B Violation shall subject a Vendor to the following sanctions:

- 1) A fine assessment of \$750.00; and
- 2) Certification that situation giving rise to the violation has been corrected.

c) Any Class C Violation shall subject the violator to the following sanctions:

- 1) A fine assessment of \$2,500.00 per violation \$1,500.00; and
- 2) Reimbursement to the Department for the "Actual Dollar(s) Amount of Sale" indicated on Food Instruments submitted to the Department's contract bank, or the total amount which was credited or paid by the Department's contract bank to the former Vendor, individual, Business Entity, or commercial enterprise; and

3) Any individual who held any ownership interest in the violator shall be prohibited from applying to become an authorized WIC Retail Vendor for a period of three (3) years.

d) The total fine assessed in any one (1) notice of fine assessment shall not exceed \$6,000.00, regardless of the number and class of violations alleged against a Vendor.

e) All fine assessments shall be paid within thirty (30) calendar days

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Highway Construction by Contract

2) Code Citation: 44 Ill. Adm. Code 675

3) Section Numbers: Adopted Action:

675.30

Amend

4) Statutory Authority: Implementing Section 5 of the Illinois Purchasing Act [30 ILCS 505/5], Section 1 of the Public Construction Bond Act [30 ILCS 550/1] and Section 4-201.4 of the Illinois Highway Code [605 ILCS 5/4-201.4] and authorized by Section 4-201.1 of the Illinois Highway Code [605 ILCS 5/4-201.1] and Section 5 of the Illinois Purchasing Act [30 ILCS 505.5].

5) Effective Date of Rulemaking: November 21, 1995

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rulemaking contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: November 20, 1995

9) Notice of Proposal Published in Illinois Register: July 21, 1995, 19 Ill Reg 10446

10) Has JCAR issued a Statement of Objections to these rules? No

11) Difference(s) between proposal and final version:

The Department corrected the Authority Note.

The Department indented the Section Source Note.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No changes were necessary.

13) Will this rulemaking replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rulemaking: This Part is amended by repealing Section 675.30, Prequalification of Bidders. This Section was obsolete since the promulgation of 44 Ill. Adm. Code 350, Prequalification of Contractors and Issuance of Plans and Proposals, in 1994.

16) Information and questions regarding this adopted amendment shall be

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

directed to:

Name: Ms. Christine Caronna-Beard, Rules Manager
Address: Illinois Department of Transportation
Office of Chief Counsel
2300 South Dirksen Parkway, Room 300
Springfield, Illinois 62764
Telephone: (217)782-3215

The full text of the Adopted Amendment begins on the next page:

DEPARTMENT OF TRANSPORTATION
NOTICE OF ADOPTED AMENDMENTS

effective NOV 21 1995

SUBPART A: GENERAL RULES GOVERNING BIDDING AND AWARDS, AND
PREQUALIFICATION OF HIGHWAY CONSTRUCTION CONTRACTS CONTRACTORS

Section 675.30 Prequalification of Bidders

All bidders shall be qualified in accordance with 44 Ill. Adm. Code 650.
All bidders shall be prequalified before bidding on highway construction contracts and shall furnish financial statements therefore. Financial statements shall be complete reports of the bidder's financial resources and liabilities, equipment, past record, and personnel. New statements shall be filed yearly. Before a proposal is issued, bidders may be required to show value of uncompleted work, amount and condition of available equipment, and plans to conduct the work. Prequalification applications and information supplied in support thereof shall be completed and submitted in accordance with instructions for prequalifications of contractors adopted and published by the Department. The instructions for prequalification of contractors may establish remedies for failure to comply therewith, which remedies shall be cumulative and not exclusive to other remedies provided by these rules. Requests for prequalification applications and for further information should be sent to the Director of Highways, Department of Transportation, 2909 South Birken Parkway, Springfield, Illinois 62764.

(Source: Amended at 19 Ill. Reg. 1608, effective NOV 21 1995)

DEPARTMENT OF TRANSPORTATION
NOTICE OF ADOPTED AMENDMENTS

TITLE 44: GOVERNMENT CONTRACTS, PROCUREMENT AND
PROPERTY MANAGEMENT
SUBTITLE B: SUPPLEMENTAL PROCUREMENT RULES
CHAPTER IX: DEPARTMENT OF TRANSPORTATION

PART 675

HIGHWAY CONSTRUCTION BY CONTRACT

SUBPART A: GENERAL RULES GOVERNING BIDDING AND AWARDS, AND
PREQUALIFICATION OF HIGHWAY CONSTRUCTION CONTRACTS CONTRACTORS

- Section 675.10 Award of Contract
- 675.20 Standard Specifications for Road and Bridge Construction
- 675.30 Prequalification of Bidders
- 675.40 Notice to Bidders and Advertisement
- 675.50 Official Newspaper
- 675.60 Service Bulletin
- 675.70 Contents of Proposal Forms
- 675.80 Preparation of the Proposal
- 675.90 Bidders' Ownership, Officers and Directors
- 675.100 Delivery of Proposals
- 675.110 Public Opening of Proposals
- 675.120 Additional Work

SUBPART B: STANDARDS AND PROCEDURES GOVERNING
THE SUSPENSION OF CONTRACTORS

- Section 675.210 Purpose
- 675.220 Definitions
- 675.230 Causes for Suspension
- 675.240 Suspension
- 675.250 Notice and Hearings
- 675.260 Hearing Procedures
- 675.270 Determination
- 675.280 Scope of Determination
- 675.290 Severability
- 675.295 Effective Date

AUTHORITY: Implementing Section 5 of The Illinois Purchasing Act [30 ILCS 505/5], Section 1 of the Public Construction Bond Act [30 ILCS 550/1] and Section 4-201.4 of the Illinois Highway Code [605 ILCS 5/4-201.4] and authorized by Section 4-201.1 of the Illinois Highway Code [605 ILCS 5/4-201.1] and Section 5 of the Illinois Purchasing Act [30 ILCS 505/5].

SOURCE: Amended April 1, 1974; amended at 7 Ill. Reg. 7322, effective June 1, 1983; codified at 8 Ill. Reg. 17992; amended at 19 Ill. Reg. 1608,

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED REPEALER

- 1) Heading of the Part: Minority Contractors
- 2) Code Citation: 44 Ill. Adm. Code 645
- 3) Section Numbers:

<u>Adopted Action:</u>	
645.10	Repeal
645.20	Repeal
645.30	Repeal
645.40	Repeal
645.50	Repeal
- 4) Statutory Authority: Implementing and authorized by the Illinois Purchasing Act [30 ILCS 505].
- 5) Effective Date of Rulemaking: November 21, 1995
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: November 20, 1995
- 9) Notice of Proposal Published in Illinois Register:
July 14, 1995, 19 Ill. Reg. 9393

- 10) Has JCAR issued a Statement of Objections to these rules? No

- 11) Difference(s) between proposal and final version:

The Department corrected the statutory reference in the Authority Note.

The Department added the word "(Repealed)" to the Part heading.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

- 13) Will this rulemaking replace an emergency rule currently in effect? No

- 14) Are there any amendments pending on this Part? No

- 15) Summary and Purpose of Rulemaking:

This Part established procedures for assisting contractors in meeting their MBE goal and for obtaining a modification or waiver of the use of minority subcontractors if a good faith effort was made by the contractor to comply with the goal. In addition, this Part established hearing procedures in

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED REPEALER

the case of noncompliance to determine whether the general contractor utilized good faith efforts to secure minority contractors. The Department is repealing this Part because the provisions are obsolete, and federally approved provisions are currently contained in the construction contract. An administrative rule is no longer needed.

- 16) Information and questions regarding these adopted repealers shall be directed to:

Name: Mr. Jon E. Tweedt, Deputy Chief Counsel
Address: Illinois Department of Transportation
Office of Chief Counsel
2300 South Dirksen Parkway, Room 300
Springfield, Illinois 62764
Telephone: (217) 782-3215

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Railroad Maintenance by Contract

2) Code Citation: 44 Ill. Adm. Code 655

3) Section Numbers: Adopted Action:

655.30

Amended

4) Statutory Authority: Implementing and authorized by Section 5 of the Illinois Purchasing Act [30 ILCS 505/5].

5) Effective Date of Rules: November 21, 1995

6) Does this rulemaking contain an automatic repeal date? No

7) Does this amendment contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: November 20, 1995

9) Notice of Proposal Published in Illinois Register: July 21, 1995, 19 Ill. Reg. 10450

10) Has JCAR issued a Statement of Objections to these rules? No

11) Difference(s) between proposal and final version: The Department indented the Section Source Note. At Section 645.30(b), the Department removed "the" from the sixth line.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this rule replace an Emergency Rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rulemaking: This Part is amended by repealing Section 655.30, Prequalification of Bidders. This Section is obsolete since the promulgation of 44 Ill. Adm. Code 650, Prequalification of Contractors and Issuance of Plans and Proposals in 1994.

16) Information and questions regarding these adopted rules shall directed to:

Ms. Christine Caronna-Beard, Rules Manager
Department of Transportation
Office of Chief Counsel
2300 South Dirksen Parkway, Room 300
Springfield, IL 62764
(217) 782-3215

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

The full text of the Adopted Amendment begins on the next page:

DEPARTMENT OF TRANSPORTATION
NOTICE OF ADOPTED AMENDMENTS

TITLE 44: GENERAL RULES GOVERNING BIDDING AND AWARDING
SUBTITLE B: SUPPLEMENTAL PROCUREMENT RULES
CHAPTER IX: DEPARTMENT OF TRANSPORTATION

PART 655
RAILROAD MAINTENANCE BY CONTRACT

SUBPART A: GENERAL RULES GOVERNING BIDDING AND AWARDING
PREQUALIFICATION OF RAILROAD CONSTRUCTION CONTRACTS HIGHWAY
CONTRACTORS

- Section 655.10 Award of Contract
- 655.20 Specifications for Railroad Maintenance
- 655.30 Prequalification of Bidders
- 655.40 Notice to Bidders and Advertisement
- 655.50 Official Newspaper
- 655.60 Further Advertisement and Notification
- 655.70 Contents of Proposal Forms
- 655.80 Preparation of the Proposal
- 655.90 Bidders' Ownership, Officers and Directors
- 655.100 Delivery of Proposals
- 655.110 Public Opening of Proposals
- 655.120 Additional Work

SUBPART B: STANDARDS AND PROCEDURES GOVERNING THE
SUSPENSION OF CONTRACTORS

- Section 655.210 Purpose
- 655.220 Definitions
- 655.230 Causes for Suspension
- 655.240 Suspension
- 655.250 Notice and Hearings
- 655.260 Hearing Procedures
- 655.270 Determination
- 655.280 Scope of Determination
- 655.290 Severability
- 655.295 Effective Date
- 655.298 Waiver of Regulations

AUTHORITY: Implementing and authorized by Section 5 of the Illinois Purchasing Act [30 ILCS 505/5].

SOURCE: Adopted October 18, 1976; codified at 8 Ill. Reg. 17990; amended at 19 Ill. Reg. 16109, effective NOV 21 1995.

DEPARTMENT OF TRANSPORTATION
NOTICE OF ADOPTED AMENDMENTS

TITLE 44: GOVERNMENT CONTRACTS, PROCUREMENT AND
PROPERTY MANAGEMENT
SUBTITLE B: SUPPLEMENTAL PROCUREMENT RULES
CHAPTER IX: DEPARTMENT OF TRANSPORTATION

PART 655
RAILROAD MAINTENANCE BY CONTRACT

SUBPART A: GENERAL RULES GOVERNING BIDDING AND AWARDING
PREQUALIFICATION OF RAILROAD CONSTRUCTION CONTRACTS HIGHWAY
CONTRACTORS

All bidders shall be qualified in accordance with 44 Ill. Adm. Code 650. All bidders shall be prequalified before bidding on railroad maintenance contracts and shall furnish financial statements and therefor financial statements shall be complete reports of the bidders' financial resources and liabilities, equipment, past record and personnel. New statements shall be filed yearly. Before a proposal is issued, bidders may be required to show value of uncompleted work, amount and condition of available equipment, and plans to conduct the work. Prequalification applications and information supplied in support thereof shall be completed and submitted in accordance with instructions for prequalification of contractors adopted and published by the Department. The instructions for prequalification of contractors may establish remedies for failure to comply therewith which remedies shall be cumulative and not exclusive to other remedies provided by this Part. Requests for prequalification applications and for further information should be sent to the Bureau of Policy, Department of Transportation, 2300 South Birken Parkway Springfield, Illinois 62764.

(Source: Amended NOV 21 1995 at 19 Ill. Reg. 16109, effective)

DEPARTMENT OF EMPLOYMENT SECURITY

NOTICE OF EMERGENCY AMENDMENT(S)

- 1) Heading of the Part: Payment Of Unemployment Contributions, Interest And Penalties

2) Code Citation: 56 Ill. Adm. Code 2765

- 3) Section Numbers: Emergency Action:

2765.73 New Section

- 4) Statutory Authority: 820 ILCS 405/212, 302, 500, 601, 602, 603, 612, 701, 1400, 1401, 1402, 1403, 1404, 1405, 1502.1, 1503, 1507, 1508, 1509, 1700, 1701 and 2600.

- 5) Effective Date of Amendment: November 13, 1995

- 6) If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire:

- 7) Date Filed in Agency's Principal Office: November 13, 1995.

- 8) Reason for Emergency: Nonprofit hospitals can be one of the few links to health care within economically disadvantaged communities. It is not uncommon for hospitals to incur operating losses in serving those communities. Substantial losses can jeopardize a hospital's ability to continue providing those services, threatening the public interest, safety and welfare. This emergency amendment is necessary to allow nonprofit hospitals that have incurred substantial operating losses to restructure their unemployment insurance liabilities to help maintain the cash flow necessary to avert potentially imminent shutdowns.

- 9) Complete Description of the Subjects and Issues Involved: Specifically, the amendment will expressly authorize the hospitals and Department of Employment Security to enter into deferred payment agreements of up to four years with respect to delinquent unemployment insurance contributions and allow the waiver of interest owed upon full payment of those contributions.

- 10) Are there any proposed amendments to this Part pending? No

- 11) Statement of Statewide Policy Objectives? This emergency amendment does not affect units of local government.

- 12) Information and questions regarding this amendment shall be directed to:

Gregory J. Ramel, Deputy Legal Counsel
Illinois Department of Employment Security
401 South State Street - 2nd Floor South
Chicago, IL 60605

DEPARTMENT OF EMPLOYMENT SECURITY

NOTICE OF EMERGENCY AMENDMENT(S)

(312) 793-4240

The full text of the Emergency Amendment begins on the next page:

DEPARTMENT OF EMPLOYMENT SECURITY

NOTICE OF EMERGENCY AMENDMENT(S)

TITLE 56: LABOR AND EMPLOYMENT
CHAPTER IV: DEPARTMENT OF EMPLOYMENT SECURITY
SUBCHAPTER c: RIGHTS AND DUTIES OF EMPLOYERS

PART 2765

PAYMENT OF UNEMPLOYMENT CONTRIBUTIONS, INTEREST AND PENALTIES

SUBPART A: GENERAL PROVISIONS

Section	
2765.1	Unemployment Contributions Not Deductible From Wages
2765.5	Definitions
2765.10	Payment Of Contributions
2765.15	Liability For The Entire Year
2765.18	Liability Of A Third Party Purchaser Or Transferee For The Due And Unpaid Contributions, Interest And Penalties Of The Seller Or Transferor's Seller Or Transferor
2765.20	Contributions Of Employers By Election
2765.25	Payments In Lieu Of Contributions
2765.30	When Payments In Lieu Of Contributions Payable
2765.35	Payments When Reimbursable Employer Becomes Contributory
2765.40	Payments When Contributory Employer Becomes Reimbursable
2765.44	Fee For Not Sufficient Funds (NSF) Checks
2765.45	Application Of Payment
2765.50	Accrual Of Interest
2765.55	Imposition Of Penalty
2765.60	Payment Or Filing By Mail
2765.63	When Payment Due And Consequences Of Upward Revision In Employer's Contribution Rate
2765.64	Consequences Where An Employee Leasing Company Has Erroneously Reported Wages And Paid Contributions Which Wages Should Have Been Reported And Contributions Paid By Its Client
2765.65	Waiver Of Interest Or Penalty
2765.66	Waiver Of Interest Accruing Because Of Certain Types Of Employees For Periods Prior To January 1, 1988
2765.67	Partial Waiver Of Interest Where An Employer Has Erroneously Reported Wages To The Wrong State
2765.68	Waiver Of Penalty For Certain Employers For 1987 And Thereafter Wage Reports (UC-3/40)
2765.69	Partial Waiver Of Interest Where An Employer Has Erroneously Paid Its Federal Unemployment Tax Act (FUTA) Tax In Full But Has Failed To Pay Its Illinois Unemployment Insurance Contributions
2765.70	Waiver Of Interest For Certain Nonprofit Organizations or Local Governmental Entities
2765.71	Waiver Of Interest Accruing Due To A Delay In The Issuance Of A Decision On A Protested Determination And Assessment
2765.72	Waiver Of Interest Accruing To A Delay In The Issuance Of A Decision On A Protested Determination And Assessment

DEPARTMENT OF EMPLOYMENT SECURITY

NOTICE OF EMERGENCY AMENDMENT(S)

EMERGENCY	
2765.73	Waiver Of Interest For Certain Nonprofit Hospitals
EMERGENCY	
2765.74	Time For Paying Or Filing Delayed Payment Or Report
2765.75	Application For Waiver
2765.80	Approval Of Application For Waiver
2765.85	Insufficient Or Incomplete Application
2765.90	Disapproval Of Application Conclusive
2765.95	Appeal And Hearing

SUBPART B: EXPERIENCE RATING

Section	
2765.200	Effect Of A Successor Employing Unit's Failure To Notify The Director Of Its Succession
2765.210	Prohibition On Withdrawal Of Joint Application For Partial Transfer Of Experience Rating Record
2765.225	Requirement For Privy In Order To Have A Predecessor Successor Relationship
2765.228	No Requirement For Continuous Operation In Order For A Predecessor Successor Relationship To Exist
2765.230	Effect Of A Transfer Of Physical Assets On A Finding That A Predecessor Successor Relationship Exists

SUBPART C: BENEFIT CHARGES

Section	
2765.325	Application Of "30 Day" Requirement For Determining The Chargeable Employer Pursuant To Section 1502.1 Of The Act
2765.326	Requirement For A Separation Or A Reduction In The Work Offered In Determining The Chargeable Employer Pursuant To Section 1502.1 Of The Act
2765.328	What Constitutes A Day For Purposes Of The "30 Day" Requirement In Section 1502.1 Of The Act
2765.329	Application Of "30 Day" Requirement For Determining The Chargeable Employer Pursuant To Section 1502.1 Of The Act For Benefit Years Beginning On Or After January 1, 1993
2765.330	Chargeability Where The Individual Is Discharged As A Result Of His Incarceration
2765.332	Effect Of Ineligibility Under Section 602(B) On Chargeability Under Section 1502.1 Of The Act
2765.333	Effect Of Ineligibility Under Section 612 On Chargeability Under Section 1502.1 Of The Act
2765.334	Effect Of Ineligibility Under Section 614 On Chargeability Under Section 1502.1 Of The Act
2765.335	Procedural Requirements And Right Of Appeal

AUTHORITY: Implementing and authorized by Sections 212, 302, 500, 601, 602,

DEPARTMENT OF EMPLOYMENT SECURITY

NOTICE OF EMERGENCY AMENDMENT(S)

603, 612, 701, 1400, 1401, 1402, 1403, 1404, 1405, 1502.1, 1503, 1507, 1508, 1509, 1700, 1701, and 2600 of the Unemployment Insurance Act [820 ILCS 405/212, 302, 500, 601, 602, 612, 701, 1400, 1401, 1402, 1403, 1404, 1405, 1502.1, 1503, 1507, 1508, 1509, 1700, 1701, and 2600].

SOURCE: Adopted at 6 Ill. Reg. 3863, effective March 31, 1982; amended at 7 Ill. Reg. 13266, effective September 28, 1983; recodified at 8 Ill. Reg. 15027; amended at 11 Ill. Reg. 3972, effective February 23, 1987; amended at 11 Ill. Reg. 11743, effective June 26, 1987; amended at 11 Ill. Reg. 12882, effective July 22, 1987; emergency amendment at 12 Ill. Reg. 225, effective January 1, 1988, for a maximum of 150 days; emergency expired May 30, 1988; amended at 12 Ill. Reg. 11740, effective July 5, 1988; amended at 12 Ill. Reg. 17342, effective October 12, 1988; amended at 12 Ill. Reg. 20484, effective November 28, 1988; emergency amendment at 13 Ill. Reg. 11911, effective July 1, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 17410, effective October 30, 1989; amended at 14 Ill. Reg. 6218, effective April 16, 1990; amended at 14 Ill. Reg. 19886, effective November 29, 1990; amended at 15 Ill. Reg. 185, effective December 28, 1990; amended at 15 Ill. Reg. 11122, effective July 19, 1991; amended at 16 Ill. Reg. 2131, effective January 27, 1992; amended at 16 Ill. Reg. 12165, effective July 20, 1992; amended at 17 Ill. Reg. 308, effective December 28, 1992; amended at 17 Ill. Reg. 614, effective January 4, 1993; amended at 17 Ill. Reg. 10275, effective June 29, 1993; emergency amendment at 17 Ill. Reg. 13801, effective August 20, 1993, for a maximum of 150 days; emergency expired January 1, 1994; amended at 18 Ill. Reg. 14952, effective September 27, 1994; emergency amendment at 19 Ill. Reg. ~~16113~~, effective November 13, 1995, for a maximum of 150 days.

SUBPART A: GENERAL PROVISIONS

Section 2765.73 Waiver Of Interest For Certain Nonprofit Hospitals

EMERGENCY

- a) Upon application of an employer, the Director shall grant a conditional waiver of any interest owed by the employer with respect to contributions due for quarters specified in the conditional waiver, where the employer is a nonprofit organization, as that term is used in Section 211.2 of the Act [820 ILCS 405/211.2], operating as a hospital and the following conditions are met:
 - 1) the employer has experienced a year-end loss of more than \$1,000,000 in each of at least three of the employer's fiscal years during the period in which the interest has accrued; and
 - 2) the losses described in subsection (a)(1) are established by certified, audited statements of the financial condition of the employer.
- b) The Director shall waive interest covered by a conditional waiver granted under subsection (a) upon payment, within four years after the date on which the conditional waiver is granted, of the full amount of

DEPARTMENT OF EMPLOYMENT SECURITY

NOTICE OF EMERGENCY AMENDMENT(S)

- c) all contributions due for the quarters specified in the conditional waiver.
- d) A conditional waiver granted under subsection (a) shall be revoked by the Director where payment of the contributions due for the quarters specified in the conditional waiver is to be made pursuant to a deferred payment agreement and the employer commits a substantial breach of that agreement or where the employer fails to timely pay contributions due for quarters not specified in the conditional waiver.
- d) Notwithstanding subsection (a), the Director shall not grant more than one conditional waiver of interest with respect to contributions due for the same quarter.

(Source: Emergency Amendment at 19 Ill. Reg. November 13, 1995, for a maximum of 150 days)

16113

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of November 14, 1995 through November 20, 1995 and have been scheduled for review by the Committee at its December 12, 1995 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield, IL 62706.

Second Notice Expires	Agency and Rule	Start of First Notice	JCAR Meeting
12/28/95	Department of Natural Resources, The Taking of Wild Turkeys-Spring Season (17 Ill Adm Code 710)	9/22/95 19 Ill Reg 13158	12/12/95
12/28/95	Department of Natural Resources, Relocation Assistance and Payments Program (17 Ill Adm Code 2575)	9/22/95 19 Ill Reg 13156	12/12/95
12/30/95	Department of Agriculture, Definitions (8 Ill Adm Code 20)	9/15/95 19 Ill Reg 12776	12/12/95
12/30/95	Department of Agriculture, Animal Welfare Act (8 Ill Adm Code 25)	9/15/95 19 Ill Reg 12750	12/12/95
12/30/95	Department of Agriculture, Animal Control Act (8 Ill Adm Code 30)	9/15/95 19 Ill Reg 12734	12/12/95
12/30/95	Department of Agriculture, Livestock Auction Markets (8 Ill Adm Code 40)	9/15/95 19 Ill Reg 12826	12/12/95
12/30/95	Department of Agriculture, Hatcheries, Poultry Flocks, and Produce Thereof (8 Ill Adm Code 55)	9/15/95 19 Ill Reg 12807	12/12/95
12/30/95	Department of Agriculture, Bovine Brucellosis (8 Ill Adm Code 75)	9/15/95 19 Ill Reg 12762	12/12/95

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

12/30/95	Department of Agriculture, Diseased Animals (8 Ill Adm Code 85)	9/15/95 19 Ill Reg 12783	12/12/95
12/30/95	Department of Agriculture, Illinois Dead Animal Disposal Act (8 Ill Adm Code 90)	9/15/95 19 Ill Reg 12812	12/12/95
12/30/95	Department of Agriculture, Swine Brucellosis (8 Ill Adm Code 100)	9/15/95 19 Ill Reg 12837	12/12/95
12/30/95	Department of Agriculture, Swine Disease Control and Eradication Act (8 Ill Adm Code 105)	9/15/95 19 Ill Reg 12843	12/12/95
12/30/95	Department of Agriculture, Animal Diagnostic Laboratory Act (8 Ill Adm Code 110)	9/15/95 19 Ill Reg 12739	12/12/95
12/30/95	Department of Agriculture, Illinois Pseudorabies Control Act (8 Ill Adm Code 115)	9/15/95 19 Ill Reg 12821	12/12/95
12/30/95	Department of Agriculture, Equine Infectious Anemia Control (8 Ill Adm Code 116)	9/15/95 19 Ill Reg 12798	12/12/95
12/30/95	Department of Agriculture, Feeder Swine Dealer Licensing (68 Ill Adm Code 590)	9/15/95 19 Ill Reg 12802	12/12/95
12/30/95	Department of Agriculture, Livestock Dealer Licensing (68 Ill Adm Code 610)	9/15/95 19 Ill Reg 12832	12/12/95
12/30/95	Department of Insurance, Credit for Reinsurance Ceded (50 Ill Adm Code 1104)	9/15/95 19 Ill Reg 12903	12/12/95
12/30/95	Department of Insurance, Repeal of Letters of Credit (50 Ill Adm Code 1102)	9/15/95 19 Ill Reg 12921	12/12/95
12/30/95	Department of Insurance, Credit Life and Credit Accident and Health Insurance (50 Ill Adm Code 951)	9/15/95 19 Ill Reg 11765	12/12/95

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

12/30/95	Department of Public Aid, Hospital Services (89 Ill Adm Code 148)	9/22/95 19 Ill Reg 13199	12/12/95
12/30/95	Department of Public Aid, Aid to the Aged, Blind or Disabled (89 Ill Adm Code 113)	9/29/95 19 Ill Reg 13489	12/12/95
12/31/95	Illinois Liquor Control Commission, The Illinois Liquor Control Commission (11 Ill Adm Code 100)	8/25/95 19 Ill Reg 12165	12/12/95
12/31/95	Department of Public Aid, Practice in Administrative Hearings (89 Ill Adm Code 104)	9/8/95 19 Ill Reg 12604	12/12/95
1/3/96	Department of Agriculture, Weights and Measures Act (8 Ill Adm Code 600)	9/22/95 19 Ill Reg 13121	12/12/95

PROCLAMATIONS

95-536

COMBINED LAW ENFORCEMENT HISPANIC
HERITAGE COMMITTEE DAY

Whereas, Hispanics are and have been making great strides in the field of law enforcement and are vital contributors to our society; and

Whereas, every day, these individuals contribute to the promotion of Hispanic awareness, establish role models for Hispanic youths and perform heroic deeds on behalf of their communities; and

Whereas, in order to recognize the contributions of Hispanic law enforcement personnel and members of the community, a day was selected in their honor and the Combined Law Enforcement Hispanic Heritage Program Committee was formed; and

Whereas, the first awards ceremony was held on October 27, 1994, and was attended by 500 people; and

Whereas, the Second Annual Combined Law Enforcement Hispanic Heritage Committee Awards Ceremony will be October 27, 1995;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 27, 1995, as COMBINED LAW ENFORCEMENT HISPANIC HERITAGE COMMITTEE DAY in Illinois in honor of Hispanic law enforcement personnel, members of the community, and in recognition of their contributions to all citizens of our state.

Issued by the Governor October 27, 1995.

Filed by the Secretary of State November 6, 1995.

95-537

BOCCE DAYS

Whereas, the World Bocce Association is dedicated to the sport of bocce, which has long been played in Illinois and throughout the nations by Italian-Americans; and

Whereas, the World Bocce Association boasts 20 chapters nationwide and continues to grow; and

Whereas, bocce was an event at the 1995 Special Olympics World Games; and

Whereas, the World Bocce Association has established programs in communities and schools across the nation; and

Whereas, teams from the United States, Canada, South America and Europe will compete in the Superball Bocce Tournament in Rosemont during November;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 2-5, 1995, as BOCCE DAYS in Illinois.

Issued by the Governor October 31, 1995.

Filed by the Secretary of State November 6, 1995

95-538

FARM WOMEN'S MONTH

Whereas, agriculture is the economic hub of Illinois; and

Whereas, farm management and operations require vast amounts of time, energy, skill, and family support; and

Whereas, farm women are true partners with their families in the business

of farming; and

Whereas, Illinois farm women should be recognized as valuable business partners to their farm families and for their efforts in promoting a better urban/rural understanding;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 1995 as FARM WOMEN'S MONTH in Illinois.

Issued by the Governor October 31, 1995.

Filed by the Secretary of State November 6, 1995.

95-539

GERMAN-AMERICAN SOCCER DAY

Whereas, the Sepp Herberger Committee is a positive force in the German-American community and the State of Illinois because it provides programs dedicated to the physical and mental well-being of our youth; and

Whereas, the Sepp Herberger Committee promotes good citizenship and pride in its heritage to all who participate in its activities; and

Whereas, the Sepp Herberger Committee also recognizes the radio and press for their participation in and promotion of youth soccer clubs; and

Whereas, the Sepp Herberger Committee will celebrate the 31st Radio, Sport and Press Ball on November 25, 1995, to express appreciation to the committed players, coaches and trainers of the soccer clubs;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 25, 1995, as GERMAN-AMERICAN SOCCER DAY in Illinois in honor of youth soccer and all the individuals involved through the Sepp Herberger Committee.

Issued by the Governor October 31, 1995.

Filed by the Secretary of State November 6, 1995.

95-540

ROTC APPRECIATION DAY

Whereas, ROTC had its beginnings in the early 19th century, where a small number of colleges offered military instruction to students and with the onset of the Civil War, the college campus was a logical place to develop a source of military leaders; and

Whereas, in 1862, the Land Grant Act was passed, authorizing grants of public land to state colleges that offered military training for all able-bodied male students; and

Whereas, in 1916, Congress passed the National Defense Act, recognizing the need for an expanded military reserve to supplement the National Guard; and

Whereas, this Act provided for the establishment of the Officers' Reserve Corps, composed of men trained in ROTC and in Army training camps; and

Whereas, these officers served in World War I and formed the basis of the Officers' Reserve Corps in the 1930s; and

Whereas, ROTC provided the necessary military leadership required by the Army to mobilize when World War II began and more than 100,000 Army ROTC officers served our country by the end of the war; and

Whereas, in Korea and Vietnam, Army ROTC graduates reaffirmed our national commitment to a defense force, led in large part by citizen-soldiers who had been prepared for leadership on our college and university campuses; and

Whereas, Congress passed the Vitalization Act of 1964, providing for

additional incentives to ROTC students such as an increased amount of ROTC scholarships and money and the creation of the "two-year program;"

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 1, 1995, as ROTC APPRECIATION DAY in Illinois in honor of the heroic accomplishments of our past and present ROTC officers and for their committed service to the citizens of this state.

Issued by the Governor October 31, 1995.

Filed by the Secretary of State November 6, 1995.

95-541

WINTER STORM PREPAREDNESS WEEK

Whereas, Illinois is subject to severe winter storms; and

Whereas, our best defense against winter storms is to be adequately prepared to deal with potential hazards while at home, work, or traveling; and

Whereas, the Illinois Emergency Management Agency (IEMA) and the membership of the Illinois Disaster Education Action (IDEA), Committee, a consortium of state, federal, and local governments and private sector organizations with interests in emergency preparedness, are continuing to unite efforts throughout the state to improve individual and family winter survival skills and self-reliance through education and preparedness; and

Whereas, volunteer agencies play an important role in providing aid to storm-displaced persons; and

Whereas, the IDEA Committee through the IEMA Family Protection Program expands the quest of all emergency managers in Illinois by focusing efforts of all levels of government on the most basic unit of society -- the family -- to implement emergency planning to contend with the deadly effects of winter storms;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 12-18, 1995, as WINTER STORM PREPAREDNESS WEEK in Illinois and urge all Illinois residents to become familiar with the hazards of winter storms and to become better prepared at the work place and at home to minimize the devastating effects of winter storms.

Issued by the Governor October 31, 1995.

Filed by the Secretary of State November 6, 1995.

95-542

FRANK SINATRA AT MARSHALL FIELD'S DAY

Whereas, November 4, 1995, marks the official lighting of the Great Tree at Marshall Field's in the City of Chicago by Mr. Frank Sinatra and family; and

Whereas, Marshall Field's has demonstrated commitment to the State of Illinois through its on-going community giving programs, including "Communities Count With Marshall Field's," in which thousands of P.J. Huggabee teddy bears were given to DCF's children around the state; and

Whereas, Marshall Field's budgets five percent of corporate federally taxable income to support non-profit arts and job-training programs for youth; and

Whereas, Marshall Field's will kick-off its holiday season by donating \$100,000 to charities dedicated to children such as the Barbara Sinatra Center for Abused Children in California, and the AIDS Foundation of Chicago;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim

November 4, 1995, as FRANK SINATRA AT MARSHALL FIELD'S DAY in Illinois.

Issued by the Governor November 2, 1995.

Filed by the Secretary of State November 13, 1995.

95-543

FAMILY BUSINESS DAY

Whereas, family businesses play a crucial role in Illinois' economy; and
Whereas, family businesses have a proven record of entrepreneurial spirit, offering specialized skills to the citizens of our state; and

Whereas, the Family Business Center at Loyola University Chicago initiated the first annual Family Business of the Year Awards Program in 1994 to emphasize the tremendous and positive contributions provided by family firms; and

Whereas, hundreds of businesses submit applications in order to be considered for the award, demonstrating the interest, enthusiasm and commitment generated by this program; and

Whereas, Loyola University Chicago's Family Business Center will host the Illinois Family Business of the Year Awards on November 9, 1995;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 9, 1995, as FAMILY BUSINESS DAY in Illinois.

Issued by the Governor November 3, 1995.

Filed by the Secretary of State November 13, 1995.

95-544

HAITIAN VICTORY DAY

Whereas, the first permanent settlement in Chicago was established in 1779 by Jean-Baptiste Point DuSable, a pioneer of Haitian descent; and
Whereas, Haitians have consistently contributed to the City of Chicago and to the State of Illinois for over 200 years; and

Whereas, on November 18, 1803, Haiti was established as a free nation, as the battle of Vertieres was won on this date; and

Whereas, on November 18, 1995, the Association of Haitian Physicians and the Haitian community in Chicago will commemorate this historic day;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 18, 1995, as HAITIAN VICTORY DAY in Illinois in honor of this memorable day in the history of the Haiti.

Issued by the Governor November 3, 1995.

Filed by the Secretary of State November 13, 1995.

95-545

PAMELA A. DANIELS DAY

Whereas, Pamela A. Daniels has been an outstanding and dedicated citizen of the State of Illinois; and
Whereas, she has been an active and dependable member of the Addison Township Republican Women's Club since 1987; and

Whereas, she is currently serving as its 3rd vice president and legislative chair, a position which she has held since 1993; and

Whereas, she has distinguished herself as an Executive Board Member, Fashion Show Chair, and as a dedicated supporter of the Club; and

Whereas, she has also served as a vice president and Legislative Chair for the DuPage County Federation of Republican Women; and
Whereas, she is serving as an Honorary Executive Board Member of the Illinois Federation of Republican Women; and

Whereas, she has served diligently as a liaison to the Illinois Historical Society; and

Whereas, Pamela A. Daniels is receiving the prestigious "Woman of the Year" award, an honor given by the DuPage County Federation of Republican Women and bestowed upon a woman devoted to Republican women throughout DuPage County;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 12, 1995, as PAMELA A. DANIELS DAY in Illinois in honor of her continued dedication to the citizens of Illinois.

Issued by the Governor November 3, 1995.

Filed by the Secretary of State November 13, 1995.

95-546

DUTCH AMERICAN HERITAGE DAY

95-546

DUTCH AMERICAN HERITAGE DAY

Whereas, on November 16, 1776, the fort on the Dutch island of St. Eustatius returned the salute from the American brig of war, The Andrew Doria, as it entered the port; and

Whereas, this first salute by a foreign power to the flag of the newly independent United States of America, was a courageous action by the Dutch that enhanced the diplomatic credibility of our new nation and gave a strong boost to the morale of our troops; and

Whereas, Dutch American Heritage Day is celebrated nationally to call attention to the essential role that the Netherlands played in helping the United States of America secure its independence and in aiding its growth as a free nation;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 16, 1995, as DUTCH AMERICAN HERITAGE DAY in Illinois in recognition of the contributions that the Dutch have made to the political, economical and cultural growth of the United States.

Issued by the Governor November 6, 1995.

Filed by the Secretary of State November 13, 1995.

95-547

WAUKEGAN SWEDISH GLEE CLUB DAY

95-547

WAUKEGAN SWEDISH GLEE CLUB DAY

95-547

WAUKEGAN SWEDISH GLEE CLUB DAY

95-547

95-547

95-547

95-547

95-547

95-547

95-547

95-547

95-547

95-547

95-547

95-547

95-547

95-547

95-547

95-547

95-547

95-547

November 12, 1995, as WAUKEGAN SWEDISH GLEE CLUB DAY in Illinois in honor of the club's 90th anniversary.

Issued by the Governor November 6, 1995.

Filed by the Secretary of State November 13, 1995.

95-548

MELVIN E. BANKS DAY

Whereas, Melvin E. Banks is the founder and president of Urban Outreach, a non-profit organization committed to providing excellence in urban Christian education; and

Whereas, he is the founder and chairman of the Board of Urban Ministries, Inc., the nation's only independent publisher of Afrocentric Christian education curriculum; and

Whereas, he is also the founder of Circle Y Ranch, a camp geared toward African American children which accommodates as many as 500 children per summer; and

Whereas, he is the author of Winning and Keeping Teens in Church; and

Whereas, he is a member of the Wheaton College Board of Trustees, his alma mater, where he was recently awarded an Honorary Doctorate Degree; and

Whereas, he is being honored by Urban Outreach and other respected colleagues and friends at a dinner in his honor;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 11, 1995, as MELVIN E. BANKS DAY in Illinois in honor of his continued commitment to the citizens of this state and to future generations.

Issued by the Governor November 8, 1995.

Filed by the Secretary of State November 16, 1995.

95-549

UNITED HELLENIC AMERICAN CONGRESS DAY

Whereas, the United Hellenic American Congress was founded in 1975 to serve as the umbrella and unifying organization for Hellenic Americans; and

Whereas, the United Hellenic American Congress functions on local, regional and national levels to promote Greek heritage and culture and to enhance relations between Greece and the United States; and

Whereas, the Hellenic-American community has contributed in the areas of business, science, education, medicine and the arts and it is an integral member of the many ethnic communities of Illinois; and

Whereas, the United Hellenic American Congress will honor Academy Award winning actress Olympia Dukakis during its 20th Annual Dinner Dance at the Sheraton Hotel and Towers on November 11, 1995;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 11, 1995, as UNITED HELLENIC AMERICAN CONGRESS DAY in Illinois in honor of the Hellenic American community and of Olympia Dukakis for her many contributions to the Hellenic American community.

Issued by the Governor November 8, 1995.

Filed by the Secretary of State November 16, 1995.

95-550

STATEWIDE AFFORDABLE HOUSING WEEK

Whereas, securing decent, safe, accessible, and affordable housing is a part of the American Dream and a goal of Illinois citizens; and

Whereas, efforts to help citizens secure affordable home ownership and rental housing opportunities are legitimate and necessary activities of both state government and the private sector, as witnessed by the many Illinois citizens who have benefited from state programs; and

Whereas, affordable housing remains only a dream to thousands of Illinois citizens; and

Whereas, reductions in federal housing assistance and rising housing costs have contributed to high rent burdens on senior citizens, low-income families, and others; and

Whereas, access to affordable housing can be achieved through cooperative local, state, and federal efforts; and

Whereas, the talents of grassroots organizations, nonprofit housing professionals, financial institutions, elected officials, state agencies, and others must be combined to address the immense challenge of increased affordable housing;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 12-19, 1995, as STATEWIDE AFFORDABLE HOUSING WEEK in Illinois to promote appropriate activities by private and public entities aimed at providing or advocating for accessible, affordable housing for all Illinois citizens.

Issued by the Governor November 9, 1995.

Filed by the Secretary of State November 16, 1995.

95-551

AMERICAN EDUCATION WEEK

Whereas, American Education Week was established in 1921 and is designed to increase public understanding and appreciation of the nation's schools, to encourage parents to visit schools and to build civic and community support for education; and

Whereas, sponsors for this year's American Education Week are the U.S. Department of Education, the National Education Association, the National Parent Teachers Association, the American Legion, the American Association of School Administrators, the National School Boards Association, the American Federation of Teachers, the Council of State School Officers, the National School Public Relations Association, the National Association of State Boards of Education, the National Association of Elementary School Principals and the National Association of Secondary School Principals; and

Whereas, the Champaign County Chamber of Commerce's Education Committee will have a press conference on November 13, 1995, at Dr. Howard Elementary School in Champaign;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 12-18, 1995, as AMERICAN EDUCATION WEEK in Illinois in honor of the national observance.

Issued by the Governor November 9, 1995.

Filed by the Secretary of State November 16, 1995.

95-552

CLEAN BREAK DAY

and Whereas, small businesses are essential to Illinois' economic well-being;

Whereas, the Governor's Small Business Environmental Task Force recommended the development of an amnesty program that allows small businesses to achieve environmental compliance without fear of enforcement action and civil penalties; and

Whereas, the Governor's Amnesty Task Force developed a proposal for an environmental amnesty pilot project to be implemented in Boone and Winnebago counties; and

Whereas, the Illinois Environmental Protection Agency, the Illinois Department of Commerce and Community Affairs, and the Rockford Area Chamber of Commerce co-sponsored the Clean Break Environmental Amnesty Pilot Project for small businesses in Boone and Winnebago counties from April 11-July 14, 1995; and

Whereas, Clean Break was a successful example of business and government working together for the good of the environment and business growth;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 10, 1995, as CLEAN BREAK DAY in Illinois and direct the Illinois Environmental Protection Agency and the Illinois Department of Commerce and Community Affairs to develop a statewide small business environmental amnesty program, beginning in 1996, based on the successes of the pilot project conducted in Boone and Winnebago counties.

Issued by the Governor November 9, 1995.

Filed by the Secretary of State November 16, 1995.

95-553

ITALIAN FOLK ART FEDERATION OF AMERICA, INC. WEEKEND

Whereas, the Italian Folk Art Federation of America, Inc. (IFAFA) is a non-profit cultural and educational organization whose goal is to encourage interest and participation in the colorful arts of Italy; and

Whereas, IFAFA researches the full range of traditional Italian culture and serves as a resource for the preservation of Italian folk art in the United States; and

Whereas, the Rockford Columbus Day Committee who sponsors Amici Italiani is hosting the 17th Annual Conference of the Italian Folk Art Federation of America, Inc. in Rockford, Illinois; and

Whereas, the IFAFA conference offers a variety of workshops and demonstrations featuring authentic Italian dances, songs, costumes, and culture and offers a unique opportunity to meet and share knowledge and experiences with Italian folk artists from the United States and Canada;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 10-12, 1995, as ITALIAN FOLK ART FEDERATION OF AMERICA, INC. WEEKEND in Illinois.

Issued by the Governor November 9, 1995.

Filed by the Secretary of State November 16, 1995.

95-554

PARC MONTH

Whereas, PARC is a private, non-profit organization serving the developmental, residential, and vocational needs of adults and children with

developmental delays, disabilities, and mental retardation; and Whereas, this agency started 35 years ago through the initiative of a small group of parents; and

Whereas, these parents wanted to assure the future of their young children by creating an organization and an environment in which the children would have an opportunity to reach their highest potential; and

Whereas, this agency started as one program serving 10 and now-consists of 14 programs serving 480 individuals, due in large part to the dedication of the founding families; and

Whereas, organizations such as PARC encourage and empower individuals to take on a larger role in society, contributing to the quality of life for all citizens; and

Therefore, PARC is celebrating its 35th anniversary;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim December 1995 as PARC MONTH in Illinois in honor of its founding families and 35 years of dedicated service to the people of this state.

Issued by the Governor November 9, 1995.

Filed by the Secretary of State November 16, 1995.

95-555

SAFE AND SMART DAY

Whereas, every holiday season, thousands of Illinois residents spend countless hours shopping and traveling to see loved ones; and Whereas, during the holiday season, we must remember to take the extra precautions necessary to ensure our personal safety; and

Whereas, the "Safe and Smart" program calls upon crime prevention officers to help educate citizens on what they can do to help protect themselves and thwart criminals' opportunities to ruin the holidays; and Whereas, the "Safe and Smart" program, sponsored by Ameritech Cellular Services, offers citizens advice on how they can avoid dangerous situations while they are shopping, driving or at home during this season;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 24, 1995, as SAFE AND SMART DAY in Illinois as this day marks the traditional start of the holiday season and the program's official introduction in our state.

Issued by the Governor November 9, 1995.

Filed by the Secretary of State November 16, 1995.

95-556

DIABETES MONTH

Whereas, more than 15 million Americans have diabetes, an incurable disease that impairs the body's ability to convert food sugar into energy; and Whereas, diabetes is the fourth leading cause of death by disease in the United States; and

Whereas, in this year alone, more than 650,000 Americans will contract the disease and 160,000 will die from it, including a disproportionate number of Hispanic Americans, African Americans and Native Americans; and

Whereas, people with diabetes have a high risk of developing serious complications such as blindness, kidney disease, heart attack and stroke; and

Whereas, an increase in community awareness of diabetes, new research

findings and the American Diabetes Association may stimulate public action in increasing research toward a cure;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 1995 as DIABETES MONTH in Illinois and urge all citizens to participate in efforts that support research to end diabetes and improve the lives of all who have this disease.

Issued by the Governor November 13, 1995.

Filed by the Secretary of State November 16, 1995.

95-557

MAINE SOUTH MARCHING BAND DAY

Whereas, the Maine South Marching Band has maintained a tradition of excellence, traveling to various parts of the country for a variety of performance opportunities; and

Whereas, these appearances include the Cherry Blossom Parade in Washington, D.C., Disney World's Bicentennial "America on Parade" and the 1993 Presidential Inauguration representing the State of Illinois; and

Whereas, the Maine South Marching Band also has performed at the Cotton Bowl, Wrigley Field for baseball's 100th anniversary and at Soldier Field; and

Whereas, the Maine South Marching Band will perform in the Orange Bowl Parade in Miami on December 31, 1995; and

Whereas, the Maine South Marching Band is the only band from Illinois invited to perform in this prestigious event;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim December 31, 1995, as MAINE SOUTH MARCHING BAND DAY in Illinois in honor of the history and accomplishments of this band.

Issued by the Governor November 13, 1995.

Filed by the Secretary of State November 16, 1995.

95-558

ROSEMARY BERKEL CRISP DAY

Whereas, the St. Louis chapter of the National Society of Fund Raising Executives will be presenting awards as part of National Philanthropy Day; and

Whereas, Rosemary Berkel Crisp will receive an award for Outstanding Philanthropist of the Year; and

Whereas, this award bears witness to her commitment to better the quality of life for all citizens; and

Whereas, it is just and proper to honor Rosemary Berkel Crisp for her dedication to philanthropy;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 15, 1995, as ROSEMARY BERKEL CRISP DAY in Illinois.

Issued by the Governor November 13, 1995.

Filed by the Secretary of State November 16, 1995.

95-559

ARNOLD R. WEBER DAY

Whereas, Arnold R. Weber has contributed his time, talents and leadership to benefit the greater Chicago community and citizens throughout the State of Illinois for almost 40 years; and

Whereas, Arnold R. Weber's commitment to Chicago, the State of

Illinois, and the nation is exemplified by the contributions he has made to numerous business, civic and cultural organizations; and

Whereas, through this involvement, Mr. Weber has demonstrated the vital link that exists between business, education and society as a whole; and

Whereas, the Board of Directors of the Chicagoland Chamber of Commerce has chosen to honor Mr. Weber with the Fourth Annual Daniel H. Burman Award for Distinguished Leadership;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 16, 1995, as ARNOLD R. WEBER DAY in Illinois in recognition and appreciation of this man's accomplishments and his contributions to society.

Issued by the Governor November 15, 1995.

Filed by the Secretary of State November 16, 1995.

95-560

METROPOLITAN FAMILY SERVICES DAY

Whereas, families are society's most powerful force, providing support and motivation for people to lead productive, fulfilling lives; and

Whereas, Metropolitan Family Services, formerly United Charities, offers a wide range of family, legal and mental health services customized to help families rise above even the most difficult obstacles; and

Whereas, Metropolitan Family Services has been strengthening families and inspiring hope in Northeastern Illinois for 138 years; and

Whereas, every year, its neighborhood-based programs help 80,000 families as diverse as the communities in which they live while hundreds of thousands more have benefited from its statewide family policy initiatives; and

Whereas, Metropolitan Family Services gets results as eighty-five cents of every dollar it receives goes toward direct services provided at its 22 neighborhood centers in Chicago and the suburbs; and

Whereas, today, United Charities is officially changing its name to Metropolitan Family Services to better reflect what it has always done -- help families achieve their potential;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 16, 1995, as METROPOLITAN FAMILY SERVICES DAY in Illinois.

Issued by the Governor November 15, 1995.

Filed by the Secretary of State November 16, 1995.

95-561

MICHAEL BRUTON REMEMBERED

Whereas, Michael Bruton worked his way up from apprentice construction electrician to leadership with the Chicago Federation of Labor; and

Whereas, after serving as Secretary-Treasurer for the Chicago Federation of Labor, he was elected as the federation's president on May 3, 1994; and

Whereas, in addition to his service to the federation and labor unions over the years, Michael Bruton served his community by lending his wisdom and experience to the boards of the United Way/Crusade of Mercy, Catholic Charities, the Board of Governors of the Metropolitan Planning Council, the Chicago Convention and Tourism Bureau, and other charitable and civic organizations; and

Whereas, he was always dedicated to the causes of working men and women in the State of Illinois; and

Whereas, Michael Bruton, a lifelong resident of Chicago, husband of Marilyn, father of nine, and grandfather of 11, also was a dedicated family man;

Therefore, I, Jim Edgar, Governor of the State of Illinois, issue this proclamation in memory of MICHAEL BRUTON, his many accomplishments and in appreciation of his contributions to the citizens of Illinois.

Issued by the Governor November 15, 1995.

Filed by the Secretary of State November 16, 1995.

Rules acted upon during the quarter of October 1 through December 31, 1995 are listed in the Issues Index by Title number, Part number and Issue number. For example, 32 Ill. Adm. Code 610 published in Issue 42 will be listed as 32-610-42. This Issues Index supplements the Sections Affected and Cumulative Indexes published in the October 13, 1995 Illinois Register (Issue 41). Inquiries about the Issues Index may be directed to the Administrative Code Division at 217-782-7017.

PROPOSED (CONT'D)	PROPOSED (CONT'D)	ADOPTED (CONT'D)	EMERGENCY (CONT'D)
11-1320-47	89-104-45	44-675-48	89-112-44,47
11-1431-47	89-112-41	44-950-46	89-117-40
17-1090-41	89-140-42,	44-950R-46	89-140-42
20-103-46	43, 46, 47	44-5040-42	89-160-45
20-1770-45	89-146-42	50-2011R-46	89-170-44,47
23-175-41	89-160-45	50-2012-41	
23-185-41	89-170-46,47,48	50-2018-42	
23-3030-41	89-301-44	50-6602-46	
32-609-43	89-302-44	56-2650-45	
32-610-42	89-590-45,47	68-1150-48	
35-211-48	89-682-45	68-1270-48	
35-212-48	89-895R-46	68-1380-48	
35-219-41	92-1030-41	68-1480-48	
35-807-41	92-1040-41	77-2510-48	
35-810-42	92-1060-41	77-661-46	
35-811-41		77-672-48	
35-816-41		83-525-42	
38-399-45	ADOPTED	83-773-42	
38-1050-41	11-301-44	83-790-42	
41-170-44	11-303-44	89-101-46	
41-180-44	11-304-44	89-104-46	
44-5000-45	11-305-44	89-110-43	
50-916-46,48	11-306-44	89-112-46	
50-930-43	11-307-44	89-113-43	
50-2801-41	11-309-44	89-114-43	
56-250-44	11-310-44	89-120-43	
56-2520-45	11-406-44	89-140-41,45,46	
56-2765-48	11-407-44	89-240-48	
68-1160-44	11-408-44	89-505-42	
68-1470-48	11-409-44	89-553-46	
77-205-45	11-421-44	89-830-46	
77-300-42	11-440-44	89-835-45	
77-330-42	17-210-48	92-446-46	
77-340-42	17-670-45	92-655-48	
77-350-42	17-680-45	92-1536-47	
77-390-42	17-3035-45		
77-670-42	20-415-45		
77-2510-47	20-1296-45		
80-302-42	35-211-44	EMERGENCY	
86-130-41,42	35-810-41	56-2765-48	
86-140-42	38-1050-45	77-670-42	
86-215-46	38-1075-45	77-1110-44	
86-3000-45	44-645R-48	77-2510-43	
		89-104-45	

ILLINOIS REGISTER
ADMINISTRATIVE CODE ORDER FORM

PLEASE USE THIS FORM FOR ALL ORDERS OR TO NOTIFY US OF CHANGE OF ADDRESS
ALL ORDERS ARE PAYABLE IN ADVANCE OR BY VISA OR Discover
CHECKS AND/OR MONEY ORDERS ARE PAYABLE TO SECRETARY OF STATE

MICROFICHE SETS OF THE ILLINOIS REGISTER @\$200.00 PER SET
__1977-1978 __1979 __1980 __1981 __1982 __1983 __1984 __1985 __1986
__1987 __1988 __1989 __1990 __1991 __1992 __1993 __1994

CUMULATIVE INDICES TO THE ILLINOIS REGISTER @\$1.00 each:
__1981 __1982 __1983 __1984 __1985 __1986 __1987 __1988 __1989

SECTIONS AFFECTED INDICES TO THE ILLINOIS REGISTER @\$1.00 each:
__1984 __1985 __1986 __1987 __1988 __1989

CUMULATIVE/SECTIONS AFFECTED INDICES @\$5.00 each:
__1990 __1991 __1992 __1993

BACK ISSUES OF THE ILLINOIS REGISTER (current year only) @\$10.00 each:

(Volume Number) (Issue Number) (Issue Date)

ANNUAL SUBSCRIPTION TO THE ILLINOIS REGISTER @\$290.00 (52 ISSUES)
___NEW ___RENEWAL

ANNUAL SUBSCRIPTION AND SUPPLEMENT TO THE ILLINOIS ADMINISTRATIVE CODE; PUBLISHED
QUARTERLY @\$290.00

_____ (1994 Code & 2 Supplements)	_____ (Quantity)	_____ (1995 Supplements)	_____ (Quantity)
---	---------------------	--------------------------------	---------------------

TOTAL AMOUNT OF ORDER: \$ _____

___Check ___Visa ___Discover Card Number: _____
Expiration Date: _____ Signature _____

(IF CHANGE OF ADDRESS, PLEASE LIST THE OLD AND NEW ADDRESS:

(NAME) (PLEASE TYPE OR PRINT)

(ADDRESS)

(CITY) (STATE) (ZIP CODE) (TELEPHONE NUMBER)

GEORGE H. RYAN
SECRETARY OF STATE

Address:
Index Department
111 E. Monroe
Springfield, IL 62756

